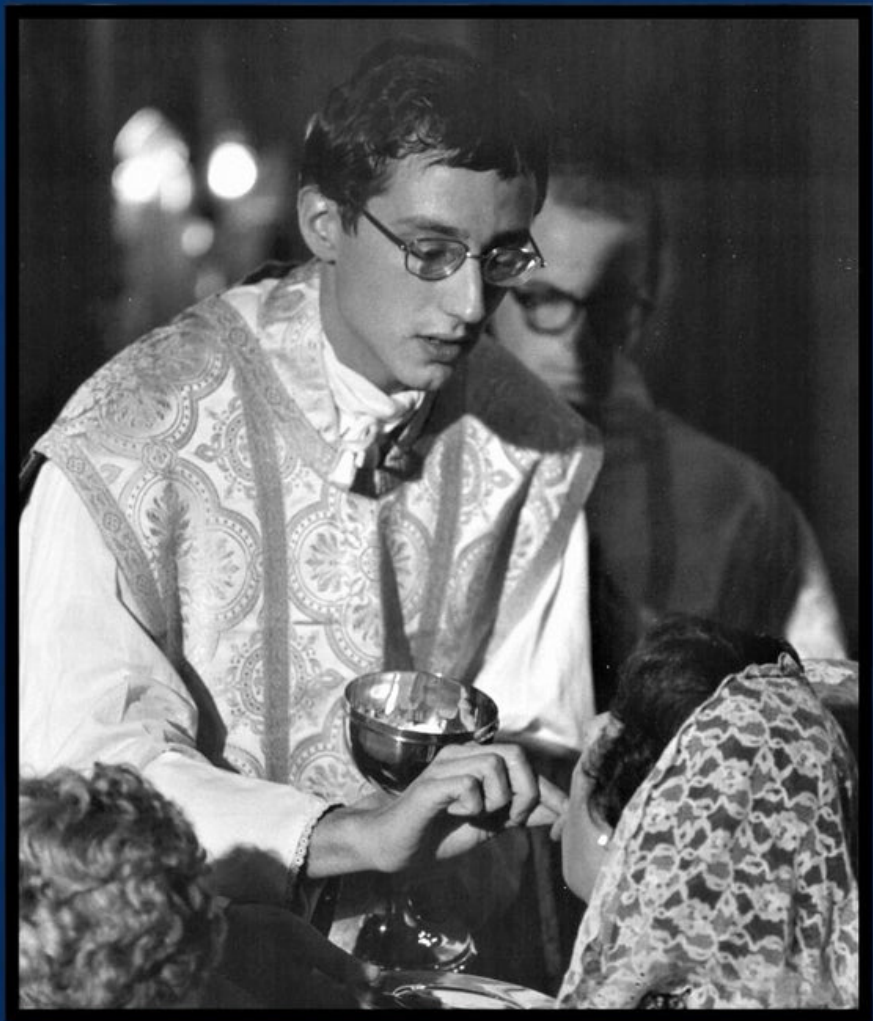


REV. ANTHONY CEKADA



Don't Get Me Started!
Collected Writings (1979-2019)



VOL. I
ROAD TO SEDEVACANTISM
(1979-1998)

Rev. Anthony Cekada

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Road to Sedevacantism
(1979-1998)

St. Gertrude the Great Roman Catholic Church
West Chester, OH
2021

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FOREWORD

by Fr. Vili Lehtoranta

*Let another praise thee, and not thine own mouth:
a stranger, and not thine own lips.*

- Proverbs 27:2

Condolences began to flow into St. Gertrude the Great Church as soon as Fr. Anthony Cekada died on September 11, 2020. It is, of course, easy to garner the praises and thanks of one's friends, colleagues and supporters. But at his death we saw how Father Cekada had gained affection, appreciation and respect from Catholics all over the world. Though he, of course, was most of all held in high esteem by the sedevacantists, i.e. traditional Catholics who hold that the Chair of Peter is vacant due to the flagrant apostacy of its recent claimants, he was respected also by a wide variety of other traditionalists. Some of them strongly disagreed with Father on his *sede vacante* position, but still expressed their condolences to Bishop Dolan and to the priests and parishioners of St. Gertrude the Great. A large local "recognize-and-resist" community offered their respects, condolences and prayers. Priests of the Society of St. Pius V, who had had strong personal issues and disputes with Father for decades, had nine Masses offered already during his last illness. Mr. Michael J. Matt, the editor of a large traditional magazine, *The Remnant*, and long-time opponent of Fr. Cekada in the pope question, wrote a special post requesting prayers for the repose of Father's soul, and added: "Although Fr. Cekada disagreed with *The Remnant* on some very important issues, we always found him to be a fair-minded truth seeker and someone with whom it was a pleasure to have principled debates." Mr. Gregory DiPippo of the *New Liturgical Movement* website, which had greatly praised Father's book *Work of Human Hands*, wrote: "Fr. Cekada was a sede-vacantist and believed that the Mass of Paul VI is invalid, positions which we reject without reservation, but

this does not change the value of his work for the study of the liturgy.”

After Father died, we decided to publish his selected writings in print form to preserve for future generations of traditionalists, and also to encourage them to the art of reading and study. Father Cekada’s greatest literary and academic achievement is his thorough research about Paul VI’s new “Mass,” *Work of Human Hands*, which was published in 2009. Besides this book, Father’s 40-year writing career saw the publication of numerous studies and articles about faith, liturgy, and current crises. The title of this collection, *Don’t Get Me Started*, was an expression Father often used when frustrated or amused at the stubbornness of his opponents or the absurdity of their arguments. This collection turned out to be a three-volume series of articles, a remarkable achievement from a priest as busy in his apostolic, liturgical and musical engagements as Father Cekada was.

The first volume, *Road to Sedevacantism*, is a selection of Father’s early writings, from his time in the SSPX to the end of 1990’s. The first writing, *The Mass Examined*, which was published as series in *The Roman Catholic*, the magazine of the SSPX’s North-East District of the United States, is of interest mainly for historical reasons. Of course Fr. Cekada’s magnum opus is his book *Work of Human Hands*, which he published 30 years after this short examination about the structure and music of the Tridentine Mass. *The Mass Examined* shows Father’s interest in the history of the Mass and why he was a good choice to train seminarians in sacred music and the history of the liturgy. It has no amusing anecdotes or puns, or piercing slashes of irony against his opponents, which would spice Father Cekada’s later writings.

The first attempt effort to refute contemporary errors in the Traditional movement was made in an early article entitled *A Warning on the Old Catholics* (1980). During the time of its publication the need for the article was great, for in the midst of the great confusion and sparse information about Traditional movement available, many well-meaning Catholics availed themselves of the services of men of dubio-

us orders. Father Cekada based his study mostly on the book *Bishops at Large* by an English convert and third Order Franciscan Peter Anson (1889-1975). Anson had thoroughly investigated the lives of many charlatans and apostate priests who had been deceiving the faithful for decades by masquerading as Catholic prelates. The witty style and irony of Anson obviously affected Fr. Cekada's later style, so much so that often reading Anson's book one gets the feeling of reading Fr. Cekada, and throughout his life Father frequently mentioned how much he liked the book.

After having in the next article encouraged the small remnant of Traditional Catholics by comparing their situation to those of Japanese Catholics of old, Father Cekada prepared his first thoroughly investigated and footnoted academic study *Light on the OSJ* (1981). Like the Old Catholics, also "The Sovereign Order of St. John of Jerusalem," which was operating in Reading, Pennsylvania, had tried to gain support of Traditionalists by claiming to be both independent and Church-approved, where one could attend "legal" Tridentine Masses. In this study one sees the first glimpses of the witty style of Father Cekada, and his approach, to meet one's opponents with undisputable facts based on faith and Canon Law, while pointing out the absurd or ridiculous in their position. This witty style Father would employ regularly as time went on.

Father's last study as a member of the SSPX was published shortly before his departure from this organization. In *Two Bishops in Every Garage* (1983), published under the pseudonym "Peregrinus", he took his first look to the adventurous life of Archbishop Pierre Martin Ngô Dinh Thuc and the colorful characters deriving their episcopal orders from this Vietnamese prelate. Little did he realize at this point how huge an effect the consecrations made by Archbishop Thuc would have upon his entire priestly and academic career. Soon after the study Father Cekada and several other priests left the Society, the reasons being enumerated in the *Letter of "The Nine" to Archbishop Lefebvre* (1983).

The expelled priests formed their own group of clergy cal-

led "The Society of St. Pius V." Though the SSPV maintained a respectable number of missions, Father Cekada left the group in 1989 for the reasons he would later point out in his writings. That year he moved to Sharonville, Ohio, to become the assistant pastor of Father Daniel L. Dolan's St. Gertrude the Great Roman Catholic Church. In this function he remained until his death. He was as well in charge of the St. Hugh of Lincoln mission in his hometown Milwaukee, Wisconsin, and that of St. Clare's in Columbus, Ohio.

Because of the disputes among those Traditionalists who refused to recognize John Paul II as Pope – they had by now gained the moniker "sedevacantists" – Father Cekada now spent more time refuting the illogical position of Fr. Kelly and the SSPV than those of Archbishop Marcel Lefebvre and the SSPX. At first the reasons for differences were mainly in regard to the methods by which Father Kelly was leading his group, which methods Father Cekada held as cultish and exclusive. Soon the arguments centered around a group of Traditionalists, "The Congregation of Mary Immaculate Queen," known as the CMRI, the controversial character of its founder Francis Schuckardt, and its questionable connection with Old Catholics. Although the CMRI had disavowed all such connection, Fr. Kelly labelled the whole group schismatic, and obliged all his followers to do so as well.

In his article *A Question of Authority: Beware Him Who Says: "Follow Me or Die!"* (1990), Fr. Cekada fiercely condemned the cult-like "leader" principle of the SSPV, and he would continue to do so until the very end of his writing career. *A Question of Authority* is also of interest for historical reasons, for it shows that at this time the pope question was being still hotly debated. In several articles, written to refute Fr. Kelly's branding of the CMRI as "Old Catholic," Fr. Cekada showed how no one has a right to label any traditional Catholic or group as "Old Catholic" or "schismatic" by his own authority. Applying the principle of Canon Law, Father Cekada sought to prove that the CMRI is not schismatic or Old Catholic.

Father had been introduced to members of the CMRI in

his St. Clare mission in Columbus, and cooperation with the group brought with it an opportunity to provide Confirmations and priestly ordinations for the Traditional Catholics who operated independently from the SSPX. The Mexican traditional Bishop Moisés Carmona consecrated Mark Pivarnas for the CMRI community in 1991. The priests of the Society of St. Pius V had searched for a Bishop who would do confirmations and ordinations for them ever since their expulsion from the SSPX. The need led Father Cekada to study the validity of orders derived from Archbishop Ngô Dinh Thuc; the results of this research was published in one of his most famous articles *The Validity of the Thuc Consecrations* (1992).

There remain some common misunderstandings concerning Father Cekada's so-called "change of mind" regarding the orders derived from Archbishop Thuc that need to be corrected. This is why both his original 1983 article and the larger academic study from 1992 are included in this collection. Father Cekada did not change his mind concerning the *validity* of the ordinations and consecrations done by Archbishop Thuc. *Two Bishops* had mentioned the validity issue only in passing, referring to the need of more thorough research, which the later study did. Father Cekada originally condemned the ordinations and consecrations of Archbishop Thuc because of the scandals connected to some of those consecrated and because of the lack of prudence and judgment on the part of the Archbishop. But based on sacramental theology, Father Cekada concluded that, no matter the *circumstances* of the consecrations, there was no doubt about their validity.

Another misunderstanding, which is more serious in nature, and which often surrounds Father Cekada's study concerns the *identification* of the so-called "Thuc bishops." In his article *The Validity of the Thuc Consecrations* Father looked into the validity of the *two specific episcopal consecrations*, not every single one Archbishop Thuc had performed. Those two consecrations were both done in Toulon, France in the year of 1981, and they were those of Father

Michel-Louis Guérard des Lauriers, O.P. in May, and of Fr. Moisés Carmona and Fr. Adolfo Zamora in October. All other consecrations Archbishop Thuc had made were left out of the study, and in his later years Father Cekada repeatedly warned about regarding all the “Thuc bishops” as Catholic. This is because sacraments are not magic words; sacrament of Holy Orders demands not only a Catholic bishop and Catholic rite, but also a recipient who is a Catholic and capable of receiving the Sacrament. Unless these requirements are met, the episcopal or priestly orders must be regarded as doubtful. Only the two aforementioned consecrations were included in Father Cekada’s study and only the six American bishops mentioned in the article, namely Bishops George Musey, Robert McKenna, Louis Vezelis, J. Vida Elmer, John Hesson, and Mark Pivarunas, who all traced their episcopal orders to these two consecrations, were regarded as true Catholic bishops by Father Cekada.

Cooperation with the CMRI eventually led to the episcopal consecration of Father Dolan by Bishop Mark Pivarunas in November of 1993. This consecration, where Father Cekada served as the Master of Ceremonies, was a great blessing to the small pocketful of Traditional Catholics not only in the United States, but abroad as well, and especially in Mexico and France. Meanwhile, Father found himself in the midst of another controversy when he published his study *Russia and the Leonine Prayers* (1992); there he showed that in his opinion, there was no longer an obligation to recite the three Hail Marys, *Salve Regina*, and prayer to St. Michael after every low Mass, mandated by the Pope to end the persecution of Catholics in Russia. The leading opponent against Father Cekada’s position was, once again, Father Clarence Kelly, who by this time had been consecrated bishop in circumstances Father Cekada would have much to say later in his article *Bishop Mendez, SSPV and Hypocrisy* (1995).

Bishop Dolan’s consecration granted the opportunity for the establishment of a seminary, led by the former SSPX seminary rector Father Donald Sanborn. Father Sanborn

shared completely Father Cekada's views about the validity of orders derived from Archbishop Thuc. Upon Bishop Dolan's agreement to ordain seminarians trained by Father Sanborn, Most Holy Trinity Seminary was established in 1995. Father Cekada was one of the original seminary professors, teaching liturgy and Canon Law for 25 years until his stroke in January 2020.

Father Cekada, with his great knowledge of Canon Law and liturgy, now became one of the most well-known authorities on sedevacantism, not only in America but throughout the world. In 1992 TAN Books and Publishers published *The Ottaviani Intervention*, translated and prefaced by Father. This classic study of a group of Roman theologians, headed by Father Guérard des Lauriers and presented in 1969 to Paul VI, is and remains one of the most famous critiques and exposés of the New Order of the Mass, commonly referred to as the "Novus Ordo" service. In 1995 Father Cekada published a concise and easily-read explanation of sedevacantism for laypeople called *Traditionalists, Infallibility and the Pope*. For many Traditional Catholics wanting to maintain their faith and still obey the Pope, this writing offered clear-cut answers. Father Cekada showed how the principle of sedevacantism is based and rooted in theology, Canon Law and papal teachings, and offered all the most important quotations to support his claim. For people living in the time of John Paul II it served as the first clear presentation of the principles of sedevacantism.

At this same time Father Cekada also explained the principle of *epikeia*, namely that divine law obliges priests to distribute sacraments even if they, lacking due authority, cannot receive jurisdiction to do so. This he did with his articles *Canon Law and Common Sense* and *Home Alone?* (both 1993). The latter title, based on a popular Christmas movie of that time, coined the term "home-aloner" to describe a person who, refusing to recognize the legitimacy of any priest or bishop in these times, chooses to remain without the Mass or Sacraments.

Entering into the 2000's, Fr. Cekada was often in the eye

of the storm, not only in arguments with the SSPX and the SSPV, but with other sedevacantists as well. The second volume begins with two very thoroughly researched articles, the first *Did Paul VI Illegally Promulgate the New Mass?*, and the second *The Validity of Ordination Conferred with One Hand*, which appeared in 2000. Every wing of the Traditionalist movement got its share of Father's thorough analysis at this time, including the Feeneyites, home-aloners, Lienartists (those who believed Archbishop Lefebvre's orders were invalid), untrained and ignorant clergymen (usually referred to as "cucarachas"), and the recognize-and-resisters, another term coined by Fr. Cekada in his article *Resisting the Pope, Sedevacantism and Frankenchurch* (2005), describing those Traditionalists who say that Vatican II papal claimants are valid popes, but see it as their duty to resist them when they fall into error.

In 2005 Fr. Cekada published a short piece in *The Remnant* entitled *The Terri Schiavo Case and Extraordinary Means*, which became his first article to draw almost universally negative feedback from Traditional Catholics. Terri Schiavo was a young woman from Florida who in 1990 collapsed in her St. Petersburg apartment, diagnosed cause being cardiac arrest. She was then proclaimed to be in persistent vegetative state, and was kept alive by a feeding tube. Schiavo's husband Michael won a \$2 million dollars malpractice suit against his wife's doctor and filed a petition to remove Terri Schiavo's feeding tube. This attempt was vigorously opposed by her parents. The case became famous for the right-to-die movement as well as for the anti-euthanasia cause. Schiavo's parents opposed the removal of the feeding tube claiming, among other things, that their daughter was a devout Roman Catholic who would not have wanted to have her life taken away. Michael Schiavo, whom the parents suspected wanted her to die to collect the trust money which was put to her treatment (and who had started relationship with another woman), disputed the claim and said she wouldn't have wanted to be kept alive artificially.

The parents began a big publicity campaign to promote

the cause to keep their daughter alive, one of the lobbyists being the pro-life activist Randall Terry. When the feeding tube was removed in 2003, Florida Governor Jeb Bush ordered it to be reinstated, based on a hastily passed law which was later declared unconstitutional. After years of delay, the feeding tube was removed for the last time in March 2005 in a midst of the big political upheaval, and sheriffs protecting the court order to stop feeding tube to be reinstated once again. Terri Schiavo died in her hospice on March 31, 2005, two days before John Paul II.

Father Cekada presented in this article and in the *Follow-Up Letter on the Schiavo Case* to *The Remnant* what are the general principles regarding the use of the extraordinary means in the preservation of life. What he criticized very strongly is the current atmosphere, where tragic events like the Schiavo case are not solved within the family circle, and according to solid principles of the Catholic Faith, but in the courtrooms by lawyers and judges, or what is worse, among political pressure-groups and television talk show hosts. If a Traditional Catholic lets the TV and the media to determine what is right and what is wrong, he or she basically reduces religion to personal feelings and passions as the Protestants do. But it is through His infallible Catholic Church that God has shown His Will, and not through the TV or computer screen, a truth Fr. Cekada inculcated in his writings.

It would of course be bad enough if Traditional Catholics would let their lives and opinions to be led by the media concerning politics and singular moral issues, like the Schiavo case. But when feelings, passions or conveniences dictate their religious practices as well, the issue is even more serious. Those Traditionalist Catholics, who accepted the *sede vacante* position of Bishop Dolan, Fr. Cekada, and Bishop Sanborn (who was consecrated by Bp. Robert F. McKenna in 2002) often had the problem of where to attend Mass, since the sedevacantist Mass centers were few and dispersed. So they would often simply attend Masses and receive sacraments from the priests who celebrated only the Traditional Mass but who recognized John Paul II as Pope,

usually those priests belonging to the SSPX or the Fraternity of St. Peter (FSSP). This was a practice at one time allowed or at least tolerated by the sedevacantist priests. But just as the issue of the Thuc consecrations, Father Cekada wanted to determine if this practice, which was really based more on convenience than any theological principle, was actually in unison with the teachings of the Catholic Church.

The several studies he wrote in 2006-2007 in dealing with the issue proved that this was not the case. In the article *Absolutely Null and Utterly Void* Father Cekada looked into the issue of Paul VI's "reform" of the rite of episcopal consecration, and came to the conclusion that this new rite substantially changed the traditional rite of Holy Orders in regards to the episcopacy as defined by Pope Pius XII. The new rite is therefore invalid. Since most – or nearly all – priests of the FSSP are ordained by bishops consecrated in the new Paul VI rite, these men are not priests because they have not received the character of Holy Orders. Therefore all the sacraments (excluding baptism) they confer are invalid. For this reason a Traditionalist Catholic cannot attend their Masses, which really are not Masses at all. This study drew heavy criticism from the part of the SSPX, which at this point was again in negotiations to join the Novus Ordo Church, now led by Joseph Ratzinger (Benedict XVI), who would in 2007 make these invalid "motu" Masses available to large numbers of Catholics. Fr. Cekada answered the criticisms with his follow-up articles and also addressed Benedict XVI's reinstatement of the old Missal in his writing *The Motu Mass Trap*.

Even more division was caused by Father's research on the so-called *Una Cum* issue. In his article *The Grain of Incense: Sedevacantists and Una Cum Masses* Father points out that a Traditional Catholic, who believes there is no Pope cannot attend Masses celebrated "together with" (*una cum*) the current pretender of the Chair of St. Peter. It is taking part in the worship of a different religion than Catholicism, which a Catholic cannot do. Benedict XVI was then,

as is Jorge Bergoglio now, the head of a false religion and not the Roman Catholic Church.

The *una cum* issue was one of the controversies where the external unity among the Traditionalists had to give way to the Catholic faith. In the 1970's and 1980's Traditional Catholics in America usually went to any Mass celebrated in the old rite wherever they could find it, whether SSPX, SSPV, or independent. Usually it was the Mass that mattered, because there were so few of them available. If the priest inserted Paul VI's or John Paul II's name in the Canon was usually not an issue. The faithful were often indifferent whether these men were Popes or not, and those faithful who thought they were not, did not want to make it a dividing issue. Usually only the priests who were considered off-the-hinges made a big deal of it. One elderly lady told me she once attended a mission whose coordinator had called in a priest who was, as the saying goes, "a little bit of a character." Since the priest had not met her before, he went to her before Mass and demanded bluntly: "Say that John Paul II is not the Pope, or I will not give you Communion." She didn't think herself educated enough to make such a statement, especially on the spot, so she attended the Mass but did not try to receive Communion. There had been, as Father Cekada's writings against Bishop Kelly's communion policies showed, several divisive issues among the sedevacantist clergy. Until about the year 2000, the only larger group which had specifically declared John Paul II as false Pope, and demanded their faithful to adhere to this, was Bishop Louis Vezelis' Franciscan Fathers. The rest of the sedevacantist clergy usually left it for each faithful's own opinion, and demanded in their sacramental policies merely that they attend Traditional Latin Mass exclusively. In *The Grain of Incense* Father Cekada laid down the principles, based on Church Law, why a Traditional Catholic cannot attend just any Traditional Mass available, the main reason being the disparity of cult, i.e. one cannot offer or attend Mass said in union with a heretic, who is the head of a different religion.

In his writing *The Nine vs. Lefebvre* Father Cekada re-

turned in detail with the nine priests' departure from the SSPX in 1983. This article was meant to correct some misunderstandings regarding that departure, one of the main ones being that "The Nine," as they still usually are referred to, were expelled because of sedevacantism. In fact there were several very serious problems which caused the break. As the article shows, the most serious one was that, in order to prepare the eventual joining of the SSPX with John Paul II's false church, Archbishop Lefebvre had decided to accept that false church's phony marriage annulments, which are nothing more than a permission to abandon one's lawful spouse and to live in adultery. *The Nine vs. Lefebvre* also describes the colorful court-battles with the ever pleasant puns and ironical remarks of Fr. Cekada – though the events described certainly were not humorous at the time.

The third volume of this collection is a selection of writings Father Cekada published since 2007 in his blogsite *Quidlibet*, which is Latin for "whatever", another expression Father was fond of using. From this time onward, Father did not publish articles at the pace he was used to. One reason was that he became more and more involved in preparing music for Sunday and Holy Day Masses, being also the parish organist until Andrew Richesson took over in 2018. Because Father was, thanks to his articles being published on the Internet, considered the main authority in explaining the differences between Traditional Catholicism and Novus Ordo religion, he received questions from priests and lay-people throughout the world, to all of which he duly responded.

In the 2010's Father also dedicated more and more of his time to social media. He recognized the fact that most people, especially young people, do not have patience anymore to read long articles and writings, but they do spend a great deal of time watching videos and reading comments on social media. However, this short and concise style also fitted Father's character, and the six years he spent on Twitter resulted in numerous chuckles for sedes and non-sedes alike. One of his last personal tweets from January

2020 was a comment to the news which said “**Pope participates in #circus act during general audience**”; and Father’s response ran: “... **and before and after it, too!**”, followed by two clown smileys. On a video which presented organ improvisation during Bishop Dolan’s Sunday Mass, one person left a comment saying: “And again a ‘Sung Mass’ done by a bishop. Dear Sedevacantists, you should know better”. To which Father Cekada, in his usual style, responded:

Don’t be a sniffy smarty-pants. In mission countries, bishops were given indulgences to celebrate non-pontifical High Masses, and auxiliaries who were also pastors by custom could celebrate the parish High Mass *more sacerdotali*. What – better to have NO parish High Mass when only a bishop is available for it? That’s the problem with you lay liturgy hobbyists – zero pastoral sense, zero sense of the true spirit of the liturgy, and zero common sense when it comes to the application of rubrics. Better switch to model airplanes. ;)

The *Quidlibet* blog posts touched upon an array of themes popular or controversial in the Traditionalist world, most of which Father had already covered in his previous publications, but which he now wanted to present in an easily sharable form. But there are a few notable pieces which are worth pointing out. First, *Bergoglio’s Got Nothing to Lose...* from 2014, which says that the sedevacantist argument must now change. Previously it was that John Paul II had lost the papacy because of heresy. Now it must be that Jorge Bergoglio, who became Benedict XVI’s successor in 2013, never gained the papacy at all. This is because all heretics and apostates are by divine law *incapable of being elected* to the papacy. There is also the post *9/11 for the Magisterium* (2013), where Father put it bluntly concerning Bergoglio: “For my part, I now state that I no longer consider Jorge Bergoglio merely a heretic. He is an apostate because he adheres to a system that rejects the possibility of religious truth and the objective moral law.” That article also contains the powerful warning about putting any trust in a reform of the Vatican II Church:

There are tens of thousands more Bergoglios out there, so in the long run there is really only one cure for the disease. Get rid of what really caused the infection in the first place: Vatican II. And if you hesitate to take advice from a sedevacantist, remember, “even a broken clock is right twice a day.” Well, the time is now 10:28 AM – and the date is 9/11...

Very grave words of warning referencing that infamous day and also little eerie concerning the date and hour Father Cekada died.

In his last active year Father continued still to recount the reasons for the divisions among the Traditionalists. He described his departure from the SSPV in the post *Spiritual Cooties: The SSPV Sacramental Penalties after 30 Years*. But he also expressed his wish that the new generation of Traditional priests and laypeople would not carry on the mistakes of the past: “There is no shame in a priest or a professedly Catholic organization undertaking a change of course if it is dictated for serious reasons, whether based on the needs of the Church or even (and especially) the principles of Catholic theology or canon law. - - So I, and many others, clerical and lay, hope that a future generation of clergy will have the common sense and the courage to act on what the rest of us have often painfully learned over the years.” In the article *The Errors of Athanasius Schneider* Father Cekada one more time blasted the thoroughly absurd idea that one could hold Bergoglio as Pope and Vatican II as a true church – all the while resisting or ignoring their heresies. He did this in such a hilarious and at the same time razor-sharp style that it is truly a refreshing reminder of Father Cekada’s best writing years, and his one last masterpiece.

The death of Fr. Cekada of course left a huge void in research and apologetics of the holy Catholic faith in our times of apostasy. But the sources, both of revelation in the teaching of the Church, and of grace in her Sacraments, remain with us until the end of time. But even though it might be possible to a Catholic researcher to match his knowledge,

anyone who knew him can testify, that there will never be anyone who can match his wit and charm. His life and career reflect very well what Ekebert of Schönaau wrote of St. Hilary: *docuit verbis et scriptis et exemplis* – he taught with his words, writings and example.

Fr. Vili Lehtoranta

West Chester, Ohio

April 11, 2021

Low Sunday



Father Anthony Cekada

Born: July 18, 1951
Ordained: June 29, 1977
Died: September 11, 2020

O God, Who among the apostolic priests made Thy servant Anthony to flourish with priestly dignity, grant, we beseech Thee, that he may also be joined unto their perpetual society. Through Christ Our Lord. Amen.

THE MASS EXAMINED

Rev. Anthony Cekada

The Roman Catholic, Vol. I, Nos. 1-4 & Vol. II, No. 1

1. "OAKS AND ACORNS"

It would be wrong to say that the faithful who have continued to assist at the Catholic Mass take the Mass for granted. This is evident from the great sacrifices of time and energy that the laity have been willing to make in order to assist at it when it is celebrated, as well as from the many other personal sacrifices which they have made in order to support the priests who have remained faithful to it. However, it is safe to say that the majority of our faithful have neither had the opportunity nor the time to investigate and understand the origin and significance of many of the prayers and ceremonies of the Catholic Mass in any great detail, even though they have faithfully assisted at its celebration over the years.

This series of articles in *The Roman Catholic* will provide you with an opportunity to deepen your understanding of the prayers and the ceremonies of the Mass, so that your piety will be strengthened by knowledge: a knowledge of *what* is done at Mass, of *why* it is done, and of how each prayer and ceremony came to be part of the magnificent and venerable Mass of the Roman Rite.

Unfortunately, this series of articles cannot possibly be comprehensive in its treatment of the prayers and ceremonies of the Mass, nor will we pretend to again a high degree of specialized and refined scholarship. The riches of the Mass are too profound to be treated exhaustively in a series of articles, and, indeed, it would require the work of a lifetime to examine all of the prayers and ceremonies of the Mass in the great detail. This series will attempt to limit itself to a concise synthesis of the work of recognized liturgical scholars such as Dom Prosper Gueranger, Father Adrian Fortescue, Father Nicholas Gihl, and others who have written ex-

tensively on the Mass. Much of what will be said has already been said before, but it is to be hoped that the manner of presentation will make the work of the great liturgical scholars of the past accessible to the man in the pew.

We will begin this series by examining the two methods which have been used by liturgical scholars to approach the ceremonies and prayers of the Catholic Mass.

Oak versus acorn

As you read this article, imagine that there is a magnificent oak tree which stretches out its limbs in your back yard as it has done for many more years than you yourself have been upon this earth. Try to envision two approaches to the self-evident fact of its presence.

The first approach might be to look upon the tree in all its splendor, to marvel at the stages of its growth, to visualize the passing of the seasons reflected upon its branches, to imagine the lives led by the people who have been sheltered by its boughs, to conjecture about the important events it has witnessed, to stand in amazement realizing the storms it had withstood, and to reflect upon the fact that all this was made possible by its origin in a simple acorn.

The second approach might be to remain oblivious to the splendor of the tree, to ignore its stages of growth, to forget that it has reflected the passing seasons, to dismiss the lives of the people it has sheltered as irrelevant, to view the events it might have witnessed as insignificant, to shrug one's shoulders at the thought of the storms it has withstood, and to refuse to consider all else save the beauty of an acorn which accidentally happened to produce an oak.

Such are the two possible approaches to the study of the prayers and ceremonies of the Mass. One can either open one's eyes to the glory of the oak, or blind one's eyes to all but the acorn. However, we will not limit our analysis of the two methods of approach to the prayers and ceremonies of the Mass to a mere analogy, but will distinguish them by the terms "organic" and "critical".

Organic versus critical

In the *organic* approach to the Mass, one begins in the present with that one *has*, and views the Mass in a clear relation to its origins, growth and present practice. The Mass, as it exists, is accepted in light of tradition as something which has been handed down to us in the present to preserve. It is seen as something which is to be explained in consideration of the continuous teaching of the Church. If any abuses have come about now and again due to the misunderstanding or error of a particular individual, these are corrected in light of the present state of the Mass as a whole.

This is essentially the Catholic approach to any question of doctrine, discipline or ceremonial practice, and it is the reverential approach followed by liturgical scholars who are truly Catholic.

In the *critical* approach to the Mass, one begins in the distant past of primitive Christianity with what one supposedly *had*, and views the Mass of the present as something which is to be judged only in terms of its fidelity to this supposed origin and not in relation to its development and present practice. The addition of prayers and ceremonies to the Mass throughout the centuries is viewed as irrelevant and insignificant. Any departures from the purely theoretical “primitive ideal” are held to be “mere accretions” or “corruptions of the liturgical spirit of Christian antiquity”.

This is essentially the classical Protestant or Modernist approach to any question of doctrine, discipline or ceremonial practice. Indeed, it is the critical approach espoused



Paul VI and his “critical” approach to the Traditional Mass resulted into the introduction of the Novus Ordo Mass in 1969.

by all the liturgical scholars who have sought to destroy the Catholic Mass from the beginning of this century, and who, with the encouragement and aid of Paul VI, have succeeded in poisoning the faith and worship of Catholics throughout the world.

The oak examined

Our study of the prayers and ceremonies of the Mass in coming issues will, obviously, follow the organic method step by step through the entire Mass, for it is the only method which a truly Catholic student of the sacred liturgy may follow. As Catholics, we cannot ignore the oak and call for a return to the acorn for it is the oak of the Catholic Mass, and not the acorn of a purely theoretical primitive Christian ideal which is eternal.

Furthermore, history has shown, over and over again, that those who call for the destruction of tradition in the name of a return to primitive Christianity are out to destroy both.

2. "AT THE FOOT OF THE ALTAR"

Joy and judgement

The priest begins each Mass with the Sign of the Cross, thus calling to mind the Sacrifice of the Cross which he is to renew sacramentally, and he recites an antiphon taken from *Psalm 42*: "I will go into the altar of God," to which the ministers add, "the God who giveth joy to my youth." One is ever rejuvenated spiritually by the graces which flow from the Mass, graces which destroy the "old man" of sin (*Rom. VI, 6*) and which enable the priest to rejoice in that spiritual youth which is obtained by regeneration and grace in the Holy Ghost.

The priest, since he has received the sacrament of Holy Orders at the hands of the bishop is often called an *alter*

Christus, another Christ, and the truth expressed by the title is most evident when the priest renews Christ's own Sacrifice in an unbloody manner at Mass. A mere man, with all his sins, all his faults and all his imperfections, is privileged to stand each day in the place of God-made-man, and it is indeed most fitting that a man so singularly blessed should acknowledge his own personal unworthiness in the sight of Almighty God. It is precisely this unworthiness on the part of the priest which is acknowledged each day of his priestly life as he recites the prayers at the foot of the Altar.

The entire forty-second Psalm is then recited by the priest alternating with the ministers, echoing the sentiments of the Psalmist David. The priest beseeches Almighty God for justice ("Judge me, O God..."), strength ("Thou art my strength..."), and the light of truth. With the confidence that these petitions have been answered, the priest



Prayers at the foot of the altar

then expresses a spirit of holy resolution ("I will go unto the altar of God..."), a spirit of resignation to the Divine Will, a spirit of hope, and a willingness to give glory to the Triune God. Yet again after the *Gloria Patri*, the priest repeats his resolution to "go in unto the altar of God."

During Christian antiquity it was customary for the priest and the sacred ministers to pray quietly and privately during the chanting of the Introit which accompanied their procession to the altar, and, due to the lofty imagery of this psalm, its use became almost universal custom in the tenth century during the entrance procession. Holy Mother Church in Her wisdom came to prescribe the recitation of this psalm in its entirety at the foot of the altar, lest any

portion of it be lost due to a shorter entrance procession.

The priest signs himself once again, and, having confessed that it is only through God's grace that he comes to celebrate so awesome a sacrifice ("Our help is in the name of the Lord..."), he begins his confession of sin with the *Confiteor*.

Through my fault

The *Confiteor* is divided into two distinct parts, the first being a humble confession of sin to God, His Mother, the Angels and the Saints. The second part consists of a plea for their aid and intercession. During the course of the *Confiteor*, the priest strikes his breast three times in the ancient sign of repentance, much in the manner of the Publican mentioned in the Gospel.

The most primitive form of the *Confiteor* originated in the eighth century when it was recited in a subdued voice by the celebrant, and it came into universal use at the celebration of Mass and the Office in the ninth century. In even the earliest formulas of the *Confiteor*, the invocation of certain Saints by name was customary, oftentimes the names of the Saints whose relics were enshrined in the altar where the Mass was being celebrated. In 1314 the Council of Ravenna determined that the names of Our Lady, St. Michael, St. John the Baptist, St. Peter and St. Paul should be invoked, and this became the custom throughout the Roman Rite.

The *Misereatur* follows and is recited by the ministers who pray that the priest might receive the grace of God's mercy, after which they themselves recite the *Confiteor*, since they stand in need of God's forgiveness as well. The priest then recites the *Misereatur* asking God's pardon for their sins as well.

The priest then recites the *Indulgentiam* which implores God to grant pardon of sin, absolution of guilt, and remission of punishment, making the Sign of the Cross which once again recalls the forgiveness of sin which flows from Christ's sacrificial death.

This formula was used widely in the tenth century, and it is quite possible that it is the remnant of an ancient form of absolution from those notorious public sins for which a public penance and censure was given. It is not, however, a formal sacramental absolution, but rather a prayer of petition by the priest seeking pardon, absolution, and remission of sins for himself and the ministers who surround him at the foot of the altar.

Enter His courts

With heads bowed in gratitude to Almighty God for His forgiveness, the priest and ministers express their exultation with three short versicles and responses, after which the priest recites the *Dominus vobiscum* as an introduction to the following prayer.

The priest then says *Oremus*, extending his hands as he ascends the steps of the altar, as Christ extended His hands when He ascended the altar of the Cross. This action is accompanied by the prayer *Aufer a nobis* in which he begs Almighty God to “take away our iniquities” that we may enter into the new Holy of Holies with a pure mind.

Such are the prayers recited by the priest and ministers at the foot of the altar. By acts of silent and reverential devotion, the faithful unite themselves with the prayers of the Church in gratitude for the privilege of assisting at the Sacred Action which is a fountain of grace and sanctification for their souls.

3. SAINTS, PSALMS, AND SUPPLICATION

Precious in Thy sight

From Christian antiquity, Holy Mother Church has cherished the memory of her saints and venerated the relics of their mortal remains. The death of the Church’s “holy ones” is considered as something “precious in the sight of the Lord,” and we are exhorted to sing the praises of their brave

deeds, by both the texts of the Holy Mass and by the daily sacrifice of praise offered up to God on high through the celebration of the Divine Office.

In every altar some relics of the Saints are enshrined in order to stir our hearts with devotion, and to recall that they are now united for all eternity with our Divine Savior who is represented by the stone of the altar anointed with the sacred chrism by the hand of a bishop. Christ, the stone, once rejected by the builders, represented by a stone altar joined in the relics of His saints has become the very cornerstone upon which the clean oblation is offered as an everlasting sacrifice unto His almighty Father.

The priest, having ascended the altar, bows and recites the prayer "*Oramus te...*" by which he beseeches the Lord to grant forgiveness of his sins through the merits of the Saints whose relics are enshrined in the altar, and indeed of all the saints. The priest then reverences the altar with a kiss as a sign of his veneration for both Christ and His Saints, in whose sight the Holy Mysteries will be celebrated.

In some ancient cultures, it was customary for visitors to kiss the threshold of the home they were entering as a sign of respect for its owner. The honor rendered to the altar at the Sacrifice of the Mass, however, signifies the union of the celebrant with Christ at the moment when he enters into the new Holy of Holies to renew the perpetual sacrifice.

With psalms

Having venerated the altar, the priest walks to the missal on the epistle corner of the altar and begins the Proper of the Mass by signing himself and reciting the Introit. The word "Introit" has its origin in the word *Introitus*, which simply means "the entry," since at High Mass it is chanted when the celebrant enters the sanctuary. The oldest books of chant which we possess ascribe the chanting of a psalm at the beginning of Mass to Pope St. Celestine I (422-432) who decreed that Psalm 150 be chanted at the beginning of his Papal Mass.

In Rome the practice was followed of taking a verse from one of the psalms and setting it to an appropriate ornate melody: this verse came to be called the antiphon. The antiphon was sung by the choir and all of the verses of the psalm were chanted after it in a simpler melody. When the psalm had been sung in its entirety, the *Gloria Patri* (the “Glory Be”) was chanted and the original antiphon was repeated. The practice of chanting the *Gloria Patri* at the end of each psalm originated with St. John Cassian (+435) and it was viewed as an affirmation of faith in the Blessed Trinity.

In smaller churches, however, the practice of chanting an entire psalm required too much time, and eventually only one verse of the psalm came to be sung after the antiphon. While most of the Introits we recite today have antiphons taken from the psalms, a few originated with later ecclesiastical authors.

The various texts of the Introit either commemorate the virtues of the Saint whose feast is being celebrated or follow the mood set by the season of the Liturgical Year, such as the Propers for Advent, Christmas, Epiphany, Lent, Easter, and the Sundays after Pentecost. The selection and arrangement of these seasonal Introits is very ancient and has been hallowed by centuries of use in the Church, by countless holy popes, bishops, martyrs and confessors of the Holy Catholic Faith.

Have mercy

After he has recited the Introit, the celebrant returns to the center of the altar for the *Kyrie eleison*, a ninefold prayer of petition for divine mercy recited alternately with the ministers.

The petition “Lord, have mercy” occurs frequently in the Holy Scriptures, but the first instances we may cite of its liturgical use occurs in Jerusalem in the year 390. Its usage in our Roman liturgy came about when pilgrims returned from Jerusalem to Rome greatly impressed by the use of this stirring and simple prayer of petition in the Church’s wor-

ship. Pope St. Gregory tells us that the *Kyrie* was used as both a response to a litany of petitions on greater feast days, and an acclamation used simply for its own sake on lesser feast days “so that we might linger on the beauty of the invocation.” The *Kyrie* was used extensively in the celebration of the Divine Office as well, according to St. Benedict, the Father of Western Monasteries.

In the Roman Rite, the invocation *Kyrie eleison* is repeated three times, followed by the threefold repetition of *Christe eleison*, and concluded by yet another repetition of the threefold *Kyrie eleison*. In France this prayer acquired great significance as a profession of Faith in the Blessed Trinity during the combat against Arianism, since each set of the threefold petitions is viewed as an invocation of each person of the Trinity, a position held by St. Thomas Aquinas. In medieval times popular piety brought about the inclusion of various petitions and acclamations during the chanting of the *Kyrie*, a practice called “troping.” However, tropes were reproved as an abuse by Pope St. Pius V, due to the fact that they unnecessarily lengthened the sacred chants and that the random introduction of other texts into the liturgy could lead to confusion and error.

We would do well if we united our prayers with the prayers of the priest for mercy, and linger upon the beauty of this simple petition each time we assist at Holy Mass, the acceptable sacrifice offered to Almighty God for our sins which pours out upon us a laver of redemption and grace.

4. HYMN OF THE ANGELS AND PRAYER OF THE CHURCH

In praise of the mystery

Even a brief glance through the various liturgical books of the Catholic Church will reveal to the casual observer the depth of the faith of Holy Mother church in the doctrine of the Most Blessed Trinity. Indeed, all prayers, intercessions, and hymns of the sacred liturgy conclude with an invocation

of the Father, Son and Holy Ghost, whether in the Missal, the Ritual, the Breviary, or any other book which is used at the solemn, public worship of the Mystical Body of Christ.

After the priest has completed the recitation of the *Kyrie* which itself forms a ninefold invocation of the mercy of the Most Blessed Trinity, the rubrics prescribe that the *Gloria* be recited on all feasts and on all Sundays outside of Septuagesima. This ancient text is both an affirmation of faith in the mystery of the Trinity and a hymn of praise to the three divine persons, Father, Son and Holy Ghost.

This hymn of praise has its origin among the Greeks, who composed hymns based upon the style and phrasing of the Hebrew Psalter, which the early Church took as its model for the prayers recited in all public worship. The *Gloria* was known by various names in ancient times, such as the "Greater Doxology" and the "Angelic Hymn".

Originally, the *Gloria* did not form an integral part of the texts used in the celebration of the Holy Sacrifice of the Mass. Saint Athanasius relates that it was used at the morning celebration of the Divine Office which took place in each church in the East. In those days, there was a prayer which every faithful Catholic knew by heart, along with most of the 150 Psalms used in the sacred liturgy.

The *Gloria* is mentioned by Pope Telesphorus (128-139),



Saint Hilary of Poitiers (366), and by Pope Symmachus (498-514), who ordered that it be sung after the *Kyrie* at Masses celebrated by bishops on Sundays and on the feasts of martyrs. An ancient Roman liturgical document, the *Ordo Romanus Primus* (770), makes provision for it to be recited by priests on Easter, and by the 13th century, all priests were required to recite the *Gloria* on feasts which had a full office outside of Advent and Septuagesima.

When the priest begins the recitation of the *Gloria*, he raises his eyes to the crucifix, lifts up and joins his hands, and bows in one gesture which vividly symbolizes the gathering of the prayers and praises of the Church in this hymn which summarizes so magnificently our devotion and love for the Father, Son and Holy Ghost.

A simple prayer

After the Church has sung her praises of Almighty God with the majestic phrases of the *Gloria*, she makes known her humble petitions through the words of the *Collect*. The very word "*Collect*" implies that the petitions of Holy Mother Church are brought together and set before the throne of the Almighty by the priest who stands before the altar in the place of the Divine Mediator.

However, before the priest addresses Almighty God in the name of the Church Militant, he venerates the altar with a kiss, which symbolizes his union with the Church Triumphant in heaven. He turns to face the assembled faithful with the words "*Dominus vobiscum*", and extends his hands to symbolize the desire of the Church that they unite their prayers with the prayer he is about to recite on their behalf.

The priest then goes to the Missal on the Epistle side of the altar and says "*Oremus*", "Let us pray". This single word is the summons to prayer which the Roman Rite uses before the Collects, with few exceptions. The Byzantine Rite, however, often uses a long and formal introduction to the text of the prayer itself recited by the deacon. The spirit of restraint found in the Roman Rite would make any further

words of introduction seem superfluous.

On certain days of the Church year, the words "*Flectamus genua – Levate*" ("Let us kneel – let us stand") are added to the priest's summons to prayer. The addition of these words with a genuflection emphasize the penitential nature of the texts of certain Masses.

When the priest says "*Oremus*", he once again raises his hands, joins them, and bows toward the crucifix. Once again, this symbolizes the gathering of the prayers of the Church, and it is a gesture which, according to the early Christian writer Tertullian, hearkens back to the gestures of the high priests of the Old Testament. The brief and direct way in which the prayers of the Church are summarized in the texts of the Collects themselves is considered to be a work of inspiration by all authors who have analyzed the form and content of the sacred liturgy. They reflect the restrained nature of the Latin language, and the precision of thought which was seen as characteristic of the Roman legal mind.

Typically, a Collect begins by addressing God and recounting one of His acts for His faithful. The collect then continues with a petition of one sort or another, and ends by invoking the Most Blessed Trinity with the conclusion "*Per Dominum nostrum...*"

The typical conclusion of a Collect is worthy of special consideration if we are to take into account the striking beauty of the Roman Liturgy. If one reads the following text aloud placing the accent on the syllables which are capitalized, one can feel the marvelous rhythm of the Latin: "*Per DOMinum NOStrum JESum CHRISTum FILium TUum, qui TEcum VIVit et REgnat in sæcuLA sæcuLORum.*"

Even a person who is totally unfamiliar with the Latin tongue cannot fail to hear the beauty of the rhythm of such a phrase. While one may translate the sense of the phrase into English, there is no way to approximate the beauty of the original in a translation.

The overall style of the Collect is quite different from the style of the Secret and the Post-Communion prayers, and we will discuss these in turn. The most ancient Collects found

in the Roman Missal are generally the shortest and most direct. Collects which were formulated for Masses honoring Saints who were canonized later in the history of the Church, however, tend to be a bit longer, and a bit more florid in their choice of words and arrangement of ideas. Most authors attribute this to the French influence on the Liturgy, and this is seen to be something which developed naturally according to the principles which we discussed earlier.

At most Masses several Collects are recited by the priest, the first being the Collect of the Mass of the day. The remaining collects generally commemorate another Saint whose feast is celebrated on the same day. Various other collects commemorating the liturgical season. Our Lady and the Saints are recited at specified times throughout the Church year as well.

The brevity of the Collects seems to mislead many people. When we see a long prayer, the very size of it tends to draw our attention to it, no matter what else might be on the page of our daily missal. Many pay close attention to the texts of the Epistle and Gospel, but only give the briefest attention the Collect of the Mass. This is indeed most unfortunate, since the Church draws our attention to the most important aspect of the feast being celebrated by means of the Collect. We can draw many important lessons from the Collects which Holy Mother Church presents for our consideration during the celebration of Holy Mass, and we can thus unite with the spirituality of the Church during the course of the liturgical year which for each of us should truly be a “year of grace.”

5. APOSTOLIC TEACHING AND OUR THANKSGIVING

A sacred instruction

One of the strangest charges levelled against the Catholic Mass by the heretics of the Reformation was their almost universal assertion that the Mass was somehow “unscriptu-

ral." Weighty tomes were written calling for a form of worship which was "more biblical." The Church was often accused of "hiding" the riches of Sacred Scripture from the eyes of the faithful.

We have only to open our missals to almost any page in order to see how false these charges were, since almost seventy-five percent of what the Missal contains is taken directly from the words of Sacred Scripture. Holy Mother Church selects texts for each feast and season of her liturgical year to instruct and edify the minds and hearts of her faithful children with the inspired word of God.

The practice of reading and chanting Holy Scripture as an integral part of the celebration of Holy Mass has its roots in Judaic synagogue service. At first, the Mass had no fixed number of readings from the Bible. The Sacred Text was read continuously from beginning to end over the course of a few years, with large portions read each Sunday and feastday. This practice continued until about the fourth century when we read that shorter excerpts called "pericopes" were chosen to be read because of their relation to the celebration of a particular feast.

The liturgical selections from Scripture were always chosen with great care by the Church. On the days of the liturgical year which are the most ancient, such as Holy Saturday and the Ember Days, we find readings selected from the Old Testament which prophesy the coming of Our Lord and which speak of the work of redemption which He will accomplish. The Epistles for the Sundays after Pentecost apparently follow the same order as they do in the Holy Bible, and this harkens back to the days when the readings followed along continuously from day to day.

The choice of readings from the Gospels for the seasons of the church year followed the spirit of each season very closely. The Gospels speak of the coming kingdom in Advent, the manifestation of God on earth in Christmastide and Epiphany, of spiritual combat during Septuagesima and Lent, and of the wonders of Christ's triumph over sin and death during Eastertide.

The Epistle recited at each Mass is surrounded by a minimum of liturgical gestures by the priest. He simply places his hands on the edges of the missal, a gesture which calls to mind the days when he used to hold the book in his hands at this point, and he begins to read with words which announce the source of the text. After the body of the text is read, the conclusion "in Christ Jesus Our Lord" is often added by way of a conclusion. The server then responds with the words "Thanks be to God" which affirm on behalf of the faithful their understanding and acceptance of the instruction in the faith which the priest has proclaimed with the words of the apostolic author.

A grateful chant

As an extension of our sentiments of gratitude at having received instruction in the doctrines of our Holy Faith by the words of the Epistle, the priest proceeds with the recitation of a number of chants taken either from the Psalms or from other liturgical writers.

The first of these chants is the Gradual, which consists of a few short verses taken from the Psalter, which was, of course, the hymnal of the Old Testament. The Gradual is so named because it was originally sung on a step (the Latin word is *gradus*) leading to the pulpit by a group of highly skilled singers. The official musical versions of the Graduals are always long and very elaborate Gregorian chants, which are generally too difficult for most lay choirs, so nowadays most choirs generally content themselves with a short and simple musical version of the same text.

On days outside of penitential seasons, the priest then continues directly with the recitation of the Alleluia and its verse. Originally, the Alleluia was chanted on Easter day alone, but it eventually came to be used throughout most of the liturgical year, the exception being penitential days and funerals. Saint Gregory tells us that "the Roman Church sings its Alleluia since the time of Saint Jerome who brought it from Jerusalem." Once again, the official musical version

of this chant is quite elaborate, and commentators tell us that it embodies an expression of the spirit of joy which should be in the heart of every true Christian before the proclamation of the Holy Gospel. During the Paschal season, the Gradual is omitted, and replaced with another Alleluia.

In penitential seasons and at funerals, when the chanting of the Alleluia is forbidden, it is replaced with a longer selection from the Psalms called the Tract. The word "Tract" hence comes from the Latin word *tractatus* which signifies something which is lengthened or "drawn out".

A sublime hymn

On special feasts and at funerals, a hymn called the Sequence is recited or sung at this point. The word "Sequence" is derived from the Latin word *Sequentia*, which means "a continuation", since the Sequence continues and elaborates upon the sentiments of devotion which were expressed in the preceding texts.

The Sequence follows the Latin rules for its poetic rhythm, and it is always sung to a simple melody. This fact of its simplicity is easily understood when we learn that it is the ancient equivalent of our own popular hymns, and the people joined in singing with much the same vigor that we show when we sing "Holy God".

In France and Germany, the Sequence became very popular from the tenth century onwards, and many new compositions were written, not all of which enjoyed a high musical and poetic standard.

The Council of Trent took this into account and forbade the use of all but five of the best sequences: the *Victimæ Paschali* for Easter, the *Veni Sancte Spiritus* for Pentecost, the *Lauda Sion* of St. Thomas Aquinas for Corpus Christi, the *Stabat Mater* for Our Lady of Sorrows, and the *Dies Iræ* for the Mass of the Dead.

Of the five, the *Dies Iræ* is by universal consent the best, both with respect to its poetry and its music. It was written about 1250 by Thomas of Celano, who was one of the compa-

nions of St. Francis, and it speaks in awesome and majestic phrases of the judgement and justice of Almighty God. It has been translated into the English language in well over two hundred and fifty published versions, and hymnologists tell us that “by the consent of all, it is the highest ornament of sacred poetry and the most precious jewel of the Latin Church.” Many experts in Western literature and music view both the music and poetry of the *Dies Iræ* as one of the crowning achievements of Catholic civilization, and theologians and spiritual writers throughout the centuries have marveled at the concise fusion of poetic beauty with doctrinal truth. It was suppressed by Paul VI shortly after the Second Vatican Council.



gians and spiritual writers throughout the centuries have marveled at the concise fusion of poetic beauty with doctrinal truth. It was suppressed by Paul VI shortly after the Second Vatican Council.

Holy Mother Church has so arranged the foregoing readings and chants to prepare us for the ceremonies which surround the proclamation of the Holy Gospel. Our in-

struction has been completed by the Epistle, and we have expressed our gratitude to the Almighty by uniting ourselves with the chants which follow it, that we might worthily and attentively hear the text which brings before us the words and deeds of Our Lord, and which forms the crown of the first part of the Holy Mass.

A WARNING ON THE OLD CATHOLICS: FALSE BISHOPS, FALSE CHURCHES

Rev. Anthony Cekada, SSPX
The Roman Catholic, October 1980

Let us say that you are a traditional Roman Catholic, and that you come across an advertisement in the paper for a group which claims that they offer the traditional Latin Mass. You notice at the bottom of the ad that the group calls itself "Old Catholic" or "Old Roman Catholic." You are naturally quite puzzled by these terms, but you think that anyone who claims to be "Old" or "Roman" or "Catholic" can't really be too much different from the traditional Catholic priests you know. But, you ask, are they really legitimate Roman Catholics, and can one go to their Masses?

The response a traditional Catholic priest is obliged to give to your question is "No, on both counts." But why, you ask, since they say they stand for all that we do?

Your priest will respond by saying that they are and always have been considered heretics and schismatics by the Catholic Church, and that they pose a grave danger to your soul if you have anything to do with them.

More and more in these times of confusion, a traditional Catholic priest finds himself confronted with such questions from the laity about Old Catholics. We feel that it is time that we publish an article which deals with these groups, and which will explain why you are obliged to avoid any dealings with them.

What are these "Old Catholic Churches?" They are schismatic and heretical sects which broke away from the Catholic Church, beginning with the Jansenist revolt in Holland in the 17th century, and continuing with another group that broke away from the Catholic Church in the 19th century over the dogma of papal infallibility. In this country, the term "Old Catholic" refers to the numerous tiny sects with

self-appointed bishops and minuscule congregations, who call themselves “Old Catholics” or “Old Roman Catholics,” even though they have, for the most part, been disavowed by their European forebears.

The purposes of our discussion here will be rather limited: First, we will give, a brief history of the origins of the Old Catholics. Second, we will examine a modern-day Old Catholic sect, the “Ultrajectine” Old Roman Catholic Church, now centered in Necedah, Wisconsin, which claims its origins in the historical Old Catholic movement. Third, we will make some general observations on these sects.

The reasons we have selected the Ultrajectines of Necedah are twofold: First, Necedah enjoys a considerable following due to the claims made that the Blessed Mother appeared there, claims which were rejected by the hierarchy even before the Second Vatican Council. Second, the assertions made by their Bishop, Edward M. Stehlik of the American National Catholic Church. Roman Catholic Ultrajectine typify the assertions of similar Old Catholic and Old Roman Catholic sects. A discussion of their claims and assertions should provide a clear warning to traditional Catholics who might be inclined to get involved with similar groups.

The last time an article appeared on the Old Catholics, a number of their priests and bishops wrote in to accuse us of what they invariably termed a “lack of charity.” In the last century, Cardinal Manning responded most eloquently to those in error who accuse the Church of a “lack of charity.” He said that the teaching of the Church “is the way of salvation, and the Church is bound to its inflexible maintenance, not only by the obligation of truth, but also by the obligation of charity for the salvation of mankind. - - The inflexible and exclusive dogmatic teaching of the Church, intolerant of all compromise, of all contact with error, is the voice of charity.”*

With this in mind, we now turn to history. In our research,

* *The Reunion of Christendom, a Pastoral Letter to the Clergy.*

we have come across a number of facts which the Old Catholics rarely mention in the pamphlets they use to promote their cause. It makes interesting reading, and it proves the old adage that truth is often stranger than fiction.

The Jansenist Heresy: Old Catholicism is Born

Some Old Catholic groups refer to themselves as “Ultrajectine,” a term which seems mystifying, but which, in fact, simply comes from the Latin name for the city of Utrecht in Holland. Utrecht was the birthplace of the Old Catholic schism which resulted from the Jansenist heresy. To understand the Old Catholics, one has to understand Jansenism.

The Jansenist heresy itself takes its name from Bishop Jansenius of Ypres. This prelate rejected the theological method of most medieval theologians, having a “fashionable dislike of schoolmen,” as M.L.



Cozens states.¹ Because of this, he wrote a treatise on St. Augustine (published in 1640) entitled *Augustinus*, in an effort to return to what he termed a more pure doctrine. “He openly professed therein to go behind the commonly received teaching (of the Church), and to find in St. Augustine the true doctrine on grace.”² One can see the spirit of heresy in this bishop’s motives.

Bishop Jansenius became friends with the Abbot of St. Cyran. Cozens states that it was this friend who sparked the

¹ M.L. Cozens, *Handbook of Heresies*, (London: Sheed and Ward, 1928; reprinted by Canterbury Books, 1979), p. 76.

² Cozens, p. 77.

cancerous growth of the doctrine of Jansenius on grace which we find in *Augustinus*.³ The spread of this doctrine continued in spite of Pope Urban VIII's condemnation of *Augustinus* in 1642.⁴ Pope Innocent X, in his bull *Cum Occasione*,⁵ (May 1653) went even further, and condemned five propositions contained in the book *Augustinus*, as heretical and false. (Our source is the *Enchiridion* of Denzinger, the standard reference used to cite the teaching of the Catholic Church.) The condemned propositions follow:

- 1) *There are some of God's commandments that just men cannot observe with the powers they have in their present state, even if they wish and strive to observe them; nor do men have the grace which would make their observance possible. (HERESY) (DB 1092)*
- 2) *In the state of fallen nature internal grace is never resisted. (HERESY) (DB 1093)*
- 3) *To merit or demerit in the state of fallen nature it is not necessary for a man to have freedom from necessity but only freedom from constraint. (HERESY) (DB 1094)*
- 4) *The Semi-Pelagians admitted the necessity of internal preparatory grace for individual acts even for the beginning of faith; they were heretics for this reason that they wished this grace to be such that the human will could resist it or obey it. (HERESY) (DB 1095)*
- 5) *It is Semi-Pelagian to say that Christ died or shed His blood for all men without exception. (FALSE) (DB 1096)*

A certain Frenchman, Dr. Antoine Arnauld, became an advocate of the teachings of Jansenius, and he composed a book on "Frequent Communion" which was saturated with these heretical doctrines. When he was later faced with the demand to subscribe to the Pope's condemnation, he evaded

³ Cozens, *loc. cit.*

⁴ John F. Clarkson, S. J., et al., *The Church Teaches*, (New York: B. Herder, 1955; reprinted Rockford, IL: TAN, 1973), p. 249. In his Bull *In Eminenti Ecclesiæ Militantis* of 1642 prox., Pope Urban VIII condemned *Augustinus*.

⁵ Clarkson, p. 249 ff.

the issue by "agreeing with the condemnations" but denying they were "contained in the *Augustinus*."⁶ He maintained that "...while the Pope can define a doctrine and condemn a heresy opposing it, he cannot infallibly declare such a heresy - - (to be) - - in any particular book."⁷

Thus, in the Jansenists, we find precursors of the modernist heretics, who try to twist Catholic teaching to their own ends. Pope St. Pius X accurately describes their tactics when he says that: "With an affectation of great submission and respect, they proceeded to twist the words of the Pontiff to their own sense, while they described his action as directed against others than themselves."⁸

In an effort to stem the tide of this pernicious heresy, Pope Alexander VII in his formulary *Regiminis Apostolici* of February 1665, commanded all the clergy in France to sign an oath against the five condemned propositions in the *Augustinus* (DB 1099). Catholic theologians point out that the Jansenist reaction was to flee France and take refuge in Utrecht, Holland.⁹

The Vicar-Apostolic of the Diocese of Utrecht, Peter Codde, was sympathetic to the Jansenists, and when this became known, he was deposed by Pope Clement XI for his Jansenist views.¹⁰ The Holy See attempted to replace Codde, but the Jansenists had gained enough power in Holland to prevent this.¹¹

The schism of the Jansenists in Utrecht which began in 1702 was complete by 1713, when the majority of the Dutch bishops refused to accept the Pope's bull *Unigenitus* condemning Jansenism.¹²

⁶ Cozens, p. 78.

⁷ Cozens, *loc. cit.*

⁸ Pamphlet, "Encyclical Letter of Pope St. Pius X, *Pascendi Dominici Gregis* and *Lamentabili Sane*," July 3, 1907, (Boston, Mass.: St. Paul Editions), p. 57.

⁹ The Rev Sidney A. Raemers, *Church History*, (London: B. Herder Book Co., 1941), p. 425.

¹⁰ Raemers, *loc. cit.*

¹¹ Raemers, *loc. cit.*

¹² Peter Anson, *Bishops At Large*, (London: Faber and Faber, 1964), p. 29 (This book is considered the definitive work on the history of Old Catholic sects).

In 1723 the Jansenists attempted to set up a Jansenist Diocese of Utrecht through Bishop Dominic Varlet, a Roman Catholic bishop who was relieved of his duties as titular bishop of Babylon by the Pope because of his Jansenist views.¹³ Varlet consecrated Cornelius Steenoven a bishop to rule the schismatic diocese.¹⁴ Steenoven soon died and Varlet consecrated two more bishops who also died. Finally Varlet consecrated Peter John Meindaerts in 1739, who, in turn consecrated two Jansenist bishops for the Dutch cities of Haarlem and Devemer.¹⁵ Thus the continuation of the schism was guaranteed along with the heresy which caused it.

Old Catholics, New Schisms: Denying Papal Infallibility

In the 1870's the effects of the schism of Utrecht resulted in yet another schism. It was at this time that the schismatics of Utrecht and a group of German-speaking heretics popularly came to be called the "Old Catholic" movement. We offer a resume of its actions and teachings relying on the *Catholic Encyclopedia*.¹⁶

In September of 1870, 1400 Germans and Swiss signed a document which repudiated the dogma of infallibility "as an innovation contrary to the traditional faith of the Church." This act resulted in the excommunication of their leader, Ignaz von Döllinger, in April of 1871.

Undaunted they met again in September of 1871. Some of their new demands included democratization of the Church, repudiation of all dogmas not considered to be in harmony with the contemporary consciousness of the Church, ecumenism, adherence to the secular government against the authority of Rome, and the insistence that the laity had the ultimate control over the property of the Church.

¹³ Raemers, p. 426.

¹⁴ Raemers, *loc. cit.*

¹⁵ Anson, p. 172.

¹⁶ Paul Maria Baumgarten, "Old Catholics," *The Catholic Encyclopedia*, (New York, Robert Appleton Co., 1912), vol. XI.

As you can readily see, their doctrinal and disciplinary positions are neither “Old” nor “Catholic.” If anything, they prove that the Old Catholic movement was a liberal and modernist movement. Indeed, most contemporary modernists would have little difficulty accepting most of their tenets.

They decided in principle to form their own parishes at the same meeting, a move which was, however, repudiated by Döllinger who, nevertheless, remained firm in his heretical teachings until his death. In 1872, assisted by Jansenist and Anglican bishops, and, by Russian Orthodox and Protestant clergy, they took the practical steps to organize their parishes, and, in June of 1873 they elected a certain Professor Reinkens as their bishop. Reinkens was consecrated by the schismatic Jansenist Bishop of Rotterdam on August 11, 1873. Pius IX excommunicated Reinkens in November of the same year.

By 1875, they had abolished confession, clerical celibacy, and, the use of Latin. In the same year Reinkens consecrated Dr. Herzog bishop for the “Christian Catholic National Church” of Switzerland. Dr. Herzog will appear again in our narrative as the person who allegedly raised Joseph Rene Vilatte to the priesthood, thus beginning Vilatte’s career as one of the key figures in the development of Old Catholic sects in the United States.

Such then is our brief history of the “Old Roman Catholics” of Utrecht and the “Old Catholics” of Germany and Switzerland. We now pass on to an account of the activities of Arnold Harris Mathew and Rene Vilatte the two persons responsible (if one may use the word in such a context) for the establishment of these sects in the United States.

Arnold Harris Mathew: Prelate in Wonderland

When you read an account of the career of Arnold Harris Mathew, you step into a wonderland where things become “curiouser and curiouser.” What follows is a brief synopsis of his activities taken from a standard reference work on the

Old Catholics.¹⁷

In reading the life story of this eccentric Englishman one is simply amazed by his fickle and unstable nature. He lost his faith and changed religions many times. He even changed his name a number of times and continuously claimed more and more exotic titles, both noble and religious, calling

himself Count, Earl, Primate, Metropolitan, etc. He changed the name of the sect he founded no less than seven times and is responsible either directly or indirectly for the foundation of at least thirty contemporary Old Catholic sects.

He was born in 1852 baptized a Catholic and later re-baptized an Anglican at the request of his mother. He was raised as an Anglican but became a Catholic again in 1875. He was rushed through a course of seminary studies and was ordained a priest in 1877. In 1879 he took vows as a Dominican only to return to the

secular priesthood a year later. He then went from one assignment to another, and managed to change dioceses no less than three times. In 1889, he converted to Unitarianism, and publicly renounced the fundamental doctrines of Christianity. After a year, he left the Unitarians and joined the Anglicans again. He married in 1892, violating his priest-



Arnold Harris Mathew (1852-1919), ordained to Catholic priesthood in 1877, and consecrated as a schismatic bishop in 1908.

¹⁷ Anson, *op. cit.*, (Anson devotes a chapter of this remarkable book to Mathew, and another chapter to the sects which derive from him).

ly vows, and became an Anglican curate. He soon left the Anglicans once again in 1899. In spite of his attempted marriage, he attempted to rejoin the Catholic Church again in 1903. Rome refused to dispense him from his vow of celibacy, and he turned to writing to support his wife and children.

He soon became involved with the notorious Modernist, George Tyrrell, an excommunicated priest. Tyrrell took advantage of Mathew's predicament, urging him on in the destruction of sacerdotalism. Mathew adopted an anti-papal position in 1907 as a result of Tyrrell's influence, saying, "The papacy is the origin - - of discord - - the fomentor of schisms, and the seat of ecclesiastical despotism and tyranny."¹⁸

Mathew then decided that it was time to found an Old Catholic sect in England. He found a small group of sympathizers who elected him as their bishop. The schismatic Jansenist bishops of Utrecht, under the impression that he had a large following in England, raised him to the episcopacy in Utrecht in 1908. He then returned to England and



George Tyrrell (1861-1909), ordained in 1891, expelled from Jesuits in 1906 and excommunicated 1907.

eventually raised a number of men to the episcopacy himself, including two former Catholic priests, Howarth and Beale, who had been excommunicated by the Bishop of Nottingham for embezzling. Mathew then sent documents to Pope St. Pius X attesting to the consecrations.

Pius X, a saint not exactly known for pulling punches, published the Bull *Cravi Iamdiu Scandalo*.¹⁹ He not only ex-

¹⁸ Anson, p. 165.

¹⁹ *Acta Apostolicæ Sedis*, year III, vol. III, no. 2, Feb. 15, 1911. (Translated by Father William Jenkins, SSPX).

communicated Mathew, but called him a “pseudo-bishop” and declared him *vitandus*, a term in church law which meant that Catholics were subject to censure if they had anything to do with Mathew (See the Appendix). Pius X also extended his sentence of excommunication to include those who had been consecrated by Mathew.

By this time, however, Mathew had already even severed his communion with the schismatic bishops of Utrecht, who proceeded to denounce him roundly for his deceptions and for acting contrary to the Declaration of Utrecht. Unfazed by the fact that he was both excommunicated by Rome and repudiated by even his schismatic consecrators, he, nevertheless, continued consecrating bishops, one of whom was an Austrian Prince Rudolph de Landas-Berghes, who planted the Mathew version of Old Catholicism in the U.S. during World War I (See below).

Mathew went on to ordain and consecrate a number of shady characters. Some were believers in Theosophy (a pseudo-Oriental religion), while others were less than sterling examples of Christian morality.

In January of 1916, he announced that he would be reconciled to the Holy See, but changed his mind two months later. He then sought union with the Anglicans once again. The Archbishop of Canterbury was, understandably, quite skeptical, and refused to give Mathew any position as an Anglican clergyman. Mathew retired to a village in the countryside and contented himself with assisting at services in an Anglican parish church as a layman.

By this time, he had been deserted by his wife and abandoned by virtually all the priests and bishops he had made. He died suddenly in December of 1919 without having been reconciled to the Catholic Church and was buried with Anglican rites as a layman. His episcopal seal and other documents disappeared after his death, so any document with his seal would not in itself be proof of ordination or consecration.

At this point, we should note briefly the connection between Mathew and Old Catholics in the United States. Mat-

hew, you will recall, consecrated Prince Rudolph de Landas-Berghes a bishop in 1913. De Landas-Berghes performed a number of consecrations in the U.S, and, in 1916, he conditionally re-consecrated Bishop Carmel Henry Carfora, another schismatic, who had already been consecrated through René Vilatte.²⁰ (For more on Vilatte, see below.) Carfora founded the North American Old Roman Catholic Church.

Carfora was a fairly exotic character in his own right, independent of his association with the Mathew succession. He claimed infallibility not only in faith and morals *ex cathedra*, but in everything.

Carfora performed an incredible number of episcopal consecrations in the United States. Among those he consecrated was Richard Marchenna, a name one seems to come across frequently in Old Catholic circles. Marchenna was consecrated by Carfora in 1941.²¹

Another which occurs quite frequently is that of a certain Bishop Daniel Q. Brown. He seems to have been consecrated by Marchenna at some point, and consequently performed a number of consecrations himself, including that of Francis Schuckardt.²²

Beyond this, it becomes impossible to trace the consecrations which have been performed by the different successors of Mathew. It is sufficient to note that none of the Old Catholic sects which may be traced to him ever achieved any significant following in this country or elsewhere.

Joseph René Vilatte: Schismatic in Wisconsin

The wild career of Arnold Harris Mathew is only rivaled by

²⁰ Anson, p. 418. By way of explanation, please note that such conditional re-consecrations are a common characteristic among these sects. This is largely due to the doubts many of their clergy secretly harbor about the validity of their apostolic succession.

²¹ Anson, p. 435 ff.

²² Bob Cabbage, pamphlet "Tridentine Latin Rite Church," (Spokane: Inland Register, 1980), p. 34. The consecration took place in October, 1971. Schuckardt formed his own sect and later repudiated Brown. Schuckardt appears to claim that his episcopal orders may be traced back to Arnold Harris Mathew. Mathew was, as we mentioned above, excommunicated by Pope St. Pius X.

that of Joseph René Vilatte. He was born in France in 1854 and raised as a member of the schismatic *Petit Eglise*. He found his way into the Catholic Church and in and out of several seminaries, the last of which he left denying most of the doctrines of the Church. He became a Presbyterian lay preacher in Northern Wisconsin, and managed to charm the Episcopalian bishop of Fond du Lac, Dr. J.H. Hobart Brown, into recommending him to the Swiss Old Catholics for priestly ordination.



Joseph René Vilatte (1854-1929), founder of numerous schismatical churches

Vilatte was ordained to the priesthood in a schismatic ceremony in Switzerland by the old Catholic Bishop Herzog on June 6, 1885.²³ That year, Vilatte came to Wisconsin to establish an Old Catholic settlement under the jurisdiction of the Episcopalians, and managed to cause a considerable amount of trouble for both the Catholics and the Episcopalians. "Old Catholic I am – Old Catholic I will be," Vilatte proclaimed on his return.²⁴ He published a "Sketch of The Belief of The Old Catholic" in 1889.²⁵ In his book he explains: "Old Catholics are as

far removed from Protestantism on the one hand as they are from Romanism on the other; in a word, that they are Catholics without any other qualification." He stressed: " - - The Government of The Church ought to be democratic, *unlike that of the Roman Church.*"²⁶

He soon became dissatisfied with the Episcopalians, and attempted to align himself with the Russian Orthodox. After yet another change of heart, he decided to try his luck with

²³ Anson, p. 95.

²⁴ Anson, p. 97.

²⁵ Anson, p. 98-99.

²⁶ Anson, p. 99.

the schismatic Old Catholics of Utrecht once again. In 1890, he appealed to them and asked that he be consecrated a bishop. Quite wisely, they refused. He then sought out and obtained his consecration from the schismatic Mar Julius I, Metropolitan of The Independent Catholic Church of Ceylon, Goa, and India, on July 15, 1891.²⁷ In Mar Julius's own words: "We - - thank God that He has mercifully shown us the way out of *the slavery of Rome*," referring to the hope of joining Vilatte and his followers in America to his heretical sect.²⁸ Out of allegiance to the Ceylonese schismatics, Vilatte, chose a new name for himself, Mar Timotheos.

On his return to Wisconsin, it became apparent that these goings-on were too much for the new Episcopal Bishop of Fond du Lac, Charles Chapman Grafton, who felt obliged to warn his faithful that Vilatte had nothing to do with the Protestant Episcopal Church.²⁹

In 1894, Vilatte had only a few followers to support him in Wisconsin, so he sought reconciliation with the Holy See in desperation.³⁰ This failed since the terms were for him to return as a layman.³¹ He then consecrated a number of other bishops for some schismatic Polish congregations in the United States.³²

He passed some time in England where he sought to obtain some sort of financial support for his work. Bishop Grafton learned of this and wrote a letter of warning to *The Church Times*. Grafton pointed out that the associates of Vilatte in Wisconsin were rather shady characters, citing the fact that one of Vilatte's associates was in prison, another was in an insane asylum, and that yet another was wanted by the police. Of Vilatte he said: "I know of no clergyman or layman in my Diocese who has any other opinion of Vilatte but that his proper place is in the penitentiary."

²⁷ Anson, p. 107.

²⁸ Anson, p. 106.

²⁹ Anson, p. 109.

³⁰ Anson, p. 111.

³¹ Anson, p. 112.

³² Anson, p. 113.

Vilatte then left England and attempted a reconciliation with the Holy See for the second time, and almost simultaneously consecrated Paolo Miraglia-Gulotti in secret as Old Catholic Bishop for Italy.³³ He then went to France and caused a considerable amount of trouble in Paris for Cardinal Richard. On June 13, 1900, Rome issued a decree of major excommunication against Vilatte and Miraglia-Gulotti.

Vilatte left France for Canada, but soon returned in 1907 where he ordained Louis-Marie-Francois Giraud to the priesthood. Giraud had been a Trappist who had left his monastery and made a name for himself as a magician and an occultist.

Vilatte then returned to America after his failures in Europe and began to operate as a freelance Archbishop in Chicago.³⁴ Sometime after 1910, he consecrated Carmel Henry Carfora a bishop, among others. After failing as Old Catholic Archbishop of North America, he formed his own sect, "The American Catholic Church," in 1915.³⁵

Once again desperate for funds, he returned to France, in 1925. He sought the help of a certain Mgr. Bricaud, alias "Johnny Bricaud," a Gnostic writer on black and white magic.³⁶

In 1925, for a third and final time, he sought reconciliation with the Church.³⁷ He was sent to the Cistercian monastery of Pont Colbert in Versailles to do penance. He was not permitted to perform any liturgical functions, even though he did manage to consecrate one of the novices a bishop in secret. He died in 1929 and was buried as a layman.³⁸

Between 1898 and 1929 Vilatte consecrated at least seven bishops in Europe and North America. There is no way of determining exactly how many priests he ordained. In Anson's book on the Old Catholics we learn that Cardinal

³³ Anson, p. 120.

³⁴ Anson, p. 123.

³⁵ Anson, p. 124.

³⁶ Anson, p. 126.

³⁷ Anson, p. 126.

³⁸ Anson, p. 128.

Merry del Val had decided that Vilatte's ordinations and consecrations had been commercialized. The Cardinal personally believed, therefore, that they could not be regarded as valid.

Some Old Catholics Today: The Ultrajectines of Necedah

If what we have presented on the history of the Old Catholic sects is not enough to convince traditional Roman Catholics to avoid them, a more current example should settle the question.

We have chosen, for the sake of our discussion, the *American National Church, Roman Catholic Ultrajectine*, now centered in Necedah, Wisconsin, a sect headed by a certain Archbishop Edward M. Stehlik.

We will begin by paging through an official publication of this sect called "I am the Way, the Truth and the Life."³⁹ It bears the "Imprimatur" of Archbishop Stehlik. We will limit ourselves to making a few comments on some of the statements contained therein.

In his introduction, we find Stehlik expressing the desire that the booklet will clarify questions about the position which he holds. Indeed it does, since we discover that the booklet is "In Loving Memory of" Arnold Harris Mathew, Rudolph de Landas-Berghes and Joseph René Vilatte.

On page 1, Stehlik claims that the "American National Catholic Church, also known as the Old Roman Catholic Church, was established in Wisconsin by the French Archbishop Joseph René Vilatte (1887)."

Having established the origins of his sect with Vilatte, he goes on to say on page 2 that the Old Roman Catholic Church

³⁹ Pamphlet, "I Am the Way the Truth and the Life", (Milwaukee: American National Church, Roman Catholic Ultrajectine; May, 1979). The pamphlet adds the initials "S.T.L." after Stehlik's name. The initials generally signify that someone holds a Licentiate in Sacred Theology, a type of graduate degree granted by Pontifical Universities. Stehlik, however, does not provide any evidence to substantiate his claim.

" - - is actually the historical Roman Catholic Church, in principle, doctrine, sacraments and rules, according to all of the ecclesiastical laws." Pius X, who excommunicated one of Stehlik's predecessors in the episcopate, Mathew, would no doubt be greatly surprised.

We are then treated to a dishonest account of the history of Jansenism. We are given the impression that the condemnation of Jansenism as heresy by the popes was nothing more than a political ploy.

Somewhat more honestly, on page 3, we are told how Bishop Varlet "consented to consecrate a bishop for the Dutch, and thus began the Old Roman Catholic Church," an assertion which apparently contradicts Stehlik's earlier claim that his sect is "actually the historical Roman Catholic Church."

Almost understandably, the booklet gives no account of the escapades of Arnold Harris Mathew and Joseph René Vilatte, although they apparently claim to trace the origin of their sect to these two colorful gentlemen.

On pages 11 and 12, we find that they claim that the collective body of the episcopacy in union with the pope is the center of Catholic unity. Further, they claim that the pope always owes obedience to the collective body of the Catholic episcopacy. The fact that this statement is heretical is obvious.

Further, we learn that this sect does not recognize the authority of any Council after that of Nicaea, a claim which they share with other schismatic and heretical bodies.

When we turn to page 16, we are amazed to discover the claim that "The Old Roman Catholic Church was never excommunicated by Rome." The fact of the matter is that, whenever the Old Catholics of Utrecht consecrated a new bishop in Holland, they would send a notice to the pope, who would send them a fresh decree of excommunication. Further, there is the matter of the excommunication of Mathew by Pope St. Pius X.

On pages 17 and 18, we find further denials of the dogma of infallibility. " - - The Pope, as 'first among equals' acts pub-

licly as the 'voice of his equals' for the Roman Catholic Church." Again, the fact that this is heresy is self-evident.

On page 19, we find that celibacy is optional for the members or the clergy in the American National Catholic Church, Roman Catholic Ultrajectine.

On page 18, we find that the true history of Old Catholicism is conveniently ignored once again. We are led to believe that the Jansenists of Utrecht consecrated bishops and sent them to the United States to evangelize. The facts we have cited above regarding Mathew and Vilatte put this contention to rest, however. Utrecht refused to consecrate Vilatte to the episcopacy, and cut off all ties with Mathew after he performed consecrations without their permission. In this country, the sect to which Stehlik belongs was founded by the successors of these two "Bishops at Large."

On pages 22 and 23, we learn that this sect permits divorce and remarriage.

One could go on for quite a while quoting page after page of the bizarre claims and assertion made by Archbishop Stehlik in his pamphlet. The point is, it's simply not worth the time. It should be evident to any Catholic that the American National Catholic Church, Roman Catholic Ultrajectine is heretical in its teaching in faith and morals. As well, it should be evident that the true origins of this sect are with Vilatte and Mathew, both of whom were, throughout most of their lives, insistent on the fact that they were outside the Roman Catholic Church.

The Ultrajectines: Certain Reservations

As we mentioned in the beginning of the article, Stehlik's sect has recently given its approval to the activities of a Mrs. Mary Ann Van Hoof in Necedah, Wisconsin. Mrs. Van Hoof claims to have had visions from the Blessed Mother, beginning in 1950. The Catholic Bishop of La Crosse, well before the Second Vatican Council, investigated her claims and refused to give any credence to them.

In recent years, however, Archbishop Stehlik appeared on

the scene. He decided that his sect could approve Mrs. Van Hoof's alleged visions.

On Good Friday, April 13, 1979, Stehlik was present during one of the alleged apparitions. The message which Our Lady was supposed to have given appeared in a paper published by the shrine. We cite part of it below:

Some of you present are wondering about the Bishop present. This Bishop has his heart with God, his heart with the Holy Mother. He can become your Bishop. It is entirely up to you. But there has to be a thorough understanding with him and your flock. - - That would be an answer to all your prayers. The Old Catholics are honorable and respectable Catholics, you need not fear them.⁴⁰



If Mrs. Van Hoof is to be believed, Our Lady says that Catholics have nothing to fear from heretics who deny papal infallibility, permit divorce and distort history. If Mrs. Van Hoof is to be believed, apparently Our Lady must have had strong words of reproach for Pope St. Pius X, who did not share such

a high opinion of the Old Catholics.

Such statements from Mrs. Van Hoof make it rather clear that the person responsible for the visions at Necedah is not Our Lady, but Mrs. Van Hoof. How could the Mother of God approve heresy, sacrilege and schism?

Additionally, one is inclined to have certain reservations about both the Ultrajectines and the apparitions which supposedly bestowed a heavenly blessing upon their work after reading some of the allegations which came to light last year

⁴⁰ Leaflet "God Willed It", (Necedah, Wis.: Queen of the Holy Rosary, Mediatrix of Peace Shrine; pub. after May, 1979), p. 1.

(1979) when a television station examined some of the claims of Archbishop Stehlik. The series was broadcast on WISN-TV in Milwaukee, and we quote an account printed in one of the newspapers there:

Leaders of the religious sect associated with the shrine at Nece-dah that is headed by Mary Ann Van Hoof have been accused in a series now being broadcast by WISN-TV (Channel 12) of misrepresenting themselves.

The series - - challenges the religious credentials of Archbishop Edward Michael Stehlik, Father David Javore, and Brother Glen Goergen of the American National Catholic Church. - -

According to the programs - - Stehlik of Milwaukee lied in his claim to have been in a monastery from 1962 to 1968. He was married in 1966, the series states. - -

The series states that Stehlik claimed to have been at the Carmelite Monastery at Holy Hill for four years, but the monastery said that there was no record of the stay. He also claimed to have a degree in chemistry from the University of Wisconsin-Milwaukee, but the school said that his last recorded status there listed him as a sophomore.

On film, Stehlik asked to end the interview during a discussion about his attempts to become an Episcopal priest and his claim to be affiliated with an Episcopal church in Watertown.

The series also states that Stehlik was excommunicated from the Old Catholic Church - - after he reportedly went to a service dressed in what was described as witchlike garb and babbled unintelligibly. The excommunication also cited two marriages and devil worship, the programs says.

Goergen, whose radio program, 'The Hour of Truth,' was broadcast over WBCS until two weeks ago, was married and divorced twice, according to the Channel 12 series. His program has been broadcast over seven radio stations nationally.

The series stated that he spent time in jail for non-support of his family, lost a paternity suit, was once charged with disorderly conduct, was arrested for delivering a controlled substance and lost a civil judgment involving the beating of a 16-year old boy.

On camera, he admitted that he had - - (*taken obscene photographs*) - - while he was using drugs.

Javore is the pastor of St. Joseph the Worker Hall, the worship center adjacent to the Necedah shrine. - -

He apparently claims to have been ordained by the Church of Gospel Ministry. Reporter McLauchlan noted that he, too, was ordained by the church after sending in \$15. He was also informed that for another \$25 he could become a bishop.⁴¹

Please bear in mind that what we have cited thus far should serve as a warning to traditional Catholics who might be led astray by the claims of the many similar Old Catholic sects one comes across in this country. Put simply, our point is that one never knows what to expect when one is dealing with Old Catholics.

Realize as well that the many inconsistencies one may discover in present-day Old Catholic doctrines and practices most probably may be traced to the inconsistent doctrines and practices of their predecessors, Mathew and Vilatte.

Old Catholic Sects: General Observations

We will now make a few observations of a more general nature, drawn from our research for this article, and from our own contacts with the representatives of various Old Catholic sects over the past few years.

1. The first thing one notices when one begins to study these sects is that there are indeed a *large number of sects* calling themselves Old Catholic. It seems that there are about as many as there are Old Catholic bishops. Professor Parkinson might observe that "The number of Old Catholic Churches is directly proportional to the number of Old Catholic bishops available."

2. This phenomenon is joined to the fact that the Old Cat-

⁴¹ Article "Shrine leadership under fire," *Milwaukee Journal*, (December 1, 1979; page 5). It was with some hesitation that we included the foregoing quote from the *Journal*. In the interest of propriety we have, in one case, omitted the descriptive language used by the paper.

holics foment what seems to be a *never-ending series of schisms* among themselves. This is explained by the fact that they began in schism. It is understandable, therefore, that they should have so many schisms among themselves.

3. Old Catholic clergy are inclined to *excommunicate each other* at the slightest provocation. (At the drop of a miter?) This is borne out by Peter Anson's book on their forebears, and by studying some of their more recent activities.

4. A typical fiction which an Old Catholic will try to promote is a *denial that his group is schismatic or heretical*. Invariably, such a person will point to another group, supposedly distinct from his own, and say that it is schismatic or heretical. For instance, an Old Catholic may tell you: "We are not *Old Catholics*, but *Old Roman Catholics*. There is a difference. The other group is schismatic and heretical. We are legitimate." Such talk is nonsense. There are no real differences among all these groups, no matter what name they go by. They all originate, in some tenuous way or another, in the Jansenist heresy and schism. Common sense tells us that if something was hatched from a duck's egg, if it looks like a duck, if it walks like a duck, and if it quacks like a duck, it is probably a duck.

5. Most of these groups *distort history in an attempt to prove their claims*. A quick reading of some of the literature they publish demonstrates this. They distort the Jansenist controversy and avoid giving an honest account of the outrageous activities of Mathew and Vilatte.

6. Virtually all members of the Old Catholic groups are *apostates*, that is, they were formerly members of the Catholic Church, who joined the Old Catholics later in life. Almost no one in this country is born an Old Catholic, and one would be hard put indeed to find an Old Catholic clergyman who had not formerly been a Catholic.

7. For the most part, these sects are presided over by clergymen who are *ignorant in matters of religion*. Some are trained for a short period of time by ignorant superiors, others "study on their own" for a while, others grant themselves degrees from non-existent universities, while still

others are simply ordained without any pretense of an education at all.

8. As well, old Catholics promote *the false notion that valid ordination renders their work legitimate*. We know, however, that the heresy and schism which they have promoted in the past and which they continue to promote in the present can never be rendered legitimate by “valid ordination.” St. Thomas is very specific on this point: “I answer that, as was said above, heretical, schismatical, excommunicate, or even sinful priests, although they have the power to consecrate the Eucharist, yet they do not make a proper use of it; on the contrary, they sin by using it.”⁴²

9. In most cases, it is *impossible to prove that an ordination or consecration performed by an Old Catholic bishop in this country is unquestionably valid*. In Europe, the question is less complicated, since the Jansenist sects enjoy a certain amount of stability. In this country, however, there exists a multitude of different Old Catholic sects. Consequently, no one has a centralized and comprehensive body of certified documentation which keeps track of the lines of the ordinations and consecrations performed in all these splinter groups. This casts some doubt upon the validity of the orders they claim to possess. Since the Catholic Church teaches that one cannot act if there is a positive doubt regarding the validity of a sacrament, one is obliged to treat their clergymen as though they were invalidly ordained.

Finally, what are the consequences if you assist at the services performed by members of these sects or receive the sacraments from them?

1. *You commit sin*. St. Thomas is very clear on this point: “Heretics, schismatics and excommunicates have been forbidden by the Church’s sentence to perform the Eucharistic rite. And therefore, whoever hears their Mass, or receives the sacraments from them, commits sin.”⁴³

⁴² Saint Thomas Aquinas *Summa Theologiæ*, Part III, Q 82, a. 9.

⁴³ Saint Thomas, *loc. cit.*

2. *You violate Church Law.* "The faithful are not allowed to assist actively in any way, or to take active part in the religious services of non-Catholics."⁴⁴

3. *You deny the Faith.* Active participation in non-Catholic worship "is simply a denial of the Catholic faith, and a recognition of an unorthodox form of worship."⁴⁵

4. *You worship God falsely,* since you "mingle errors and deception with the worship of the true God."⁴⁶

5. *You are suspected of heresy.* "Whoever acts contrary to the prescriptions of canon 1258 and takes part in non-Catholic services (even if the service is one that heretics have in common with us - - is suspected of heresy. (c. 2316)"⁴⁷ (old code of Canon Law)

It is clear, then, from what we have said in this article that no Roman Catholic should have anything to do with "Old Catholicism," no matter what name it goes by. History proves this, a study of modern-day Old Catholic sects proves this, and Catholic theology proves this.

Our Lord exhorts us in the Holy Gospel to judge a tree by its fruit. Our study has shown that the fruit borne by the old Catholic movement, from Jansenius to Döllinger to Vilatte to Mathew to the present day, has been heresy in doctrine, chaos in discipline, ignorance in preaching, doubt and schism in the conferral of the sacraments and ultimately the loss of many souls who have been led outside of the fold of Christ.

Let us pray that faithful Catholics are not deceived by these sects, and let us pray those in error may by the grace of God be led back to the unity and truth which the one true Church alone can give.

I am indebted to one of the seminarians of the Society of St. Pius X at Ridgefield, Connecticut whose research made this article possible. A.C.

⁴⁴ *Code of Canon Law*, canon 1258.

⁴⁵ Dominic M. Pruemmer, O. P., *Handbook of Moral Theology* (New York: P. J. Kenedy and Sons, 1957), p. 90.

⁴⁶ H. Jone, *Moral Theology*, (Westminster, Md.: Newman Press 1962), p 97.

⁴⁷ Falher Slater, *A Manual of Moral Theology*, (London: Burnes, Oates and Washbourne, 1928) p. 70.

APPENDIX

The Excommunication of Arnold Harris Mathew

Unto his beloved Catholic Sons dwelling in England

PIUS X, SUPREME PONTIFF

Beloved Sons, Greeting and Apostolic Benediction.

In the pale of a grave and enduring scandal, it is with the most profound grief of soul that We have learned that priests of your country, namely **Herbert Ignatius Beale** and **Arthur William Howarth**, of the clergy of Nottingham, seeking their own glory rather than that of Jesus Christ, and being carried away by the fire of ambition, having attempted on various occasions to be elevated to the episcopal dignity by non-Catholics, have recently proceeded with such temerity that, having obtained their wish, they have arrogantly announced unto Us that they have procured episcopal consecration. Nor does their announcement lack authentic testimony; for he who was the principal author of this sacrilegious crime, the pseudo-bishop **Arnold Harris Mathew**, has not feared openly to confirm this deed, having transmitted to Us letters swollen with pride. And, moreover, he has not hesitated to arrogate unto himself the title of "Anglo-Catholic Archbishop of London."

Turning Our thoughts and Our solicitude first of all to you, Beloved Sons, of whose constant and devoted good will we have ever received such illustrious testimony, We vigorously exhort you to guard zealously against their frauds and snares.

Furthermore, lest We should appear to betray Our office, being faithful to the examples of Our Predecessors, We hereby proclaim the aforesaid consecration to have been illegitimate and sacrilegious, and to have been performed in a manner wholly contrary to the mandates of this Holy See and the sanction of the Sacred Canons.

The above-named priests, therefore, namely **Arnold Harris Mathew**, **Herbert Ignatius Beale**, and **Arthur**

William Howarth, and all others who lent aid, counsel or consent to this nefarious crime, by the authority of Almighty God, we hereby **excommunicate**, **anathematize**, and solemnly command and declare to be separated from the communion of the Church and to be held for schismatics, and to be avoided by all Catholics and especially by yourselves.

Having administered this indeed bitter but most necessary medicine, We exhort you also, Beloved Sons, to join your fervent prayers to Ours, beseeching God that He deign mercifully to lead back to the sheepfold of Christ and the port of salvation these unhappily errant men.

That with the aid of God you may the more readily obtain this desire, We impart unto you with all Our heart the Apostolic Benediction.

Given at Rome, at Saint Peter's, under the Ring of the Fisherman, the eleventh day of February, 1911, in the eighth year of Our Pontificate.

PIUS X, SUPREME PONTIFF

Commentary

*The foregoing was translated by Father William Jenkins (SSPX) from the official Latin edition of **Acta Apostolicæ Sedis**, year III, vol. III, no. 2, February 15, 1911.*

*In Father Stanislaus Woywod's **A Practical Commentary on the Code of Canon Law**, (London: B. Herder, 1939), we read on page 439 that there are several requirements for a person to considered excommunicated as a "vitandus" ("one who is to be avoided").*

The requirements are that (1) one must be excommunicated by name by the Apostolic See, (2) the excommunication must be publicly proclaimed, and (3) the decree or sentence must expressly state that the person named must be avoided. It is clear that the requirements are met in the foregoing decree.

This decree should be a sufficient indication of how the Church regards those who get involved with Old Catholic sects.

WITHOUT BENEFIT OF CLERGY: PRESERVING THE FAITH IN JAPAN

Rev. Anthony Cekada

The Roman Catholic, February 1981

Unless you are a Catholic who has just returned from a twenty-year space flight, you won't be surprised to learn that there are not many priests who celebrate the traditional Mass these days.

The fact that there are so few traditional priests is a continuing source of discouragement to the laity in every part of the country. Most groups of traditional Catholics served by the Society of Saint Pius X consider themselves fortunate if a priest is able to fly in once a month to offer Mass, hear confessions, and attend to their spiritual needs in a short period of time before he is obliged to fly out to another similar group.

While the Society has already been blessed with seminarians in considerable numbers, it takes time to prepare these young men for the awesome responsibility which will one day be theirs. In the meantime, the priests already ordained are engaged in a "holding action."

It would not be exaggerating to say that if one hundred new priests of the Society were to appear miraculously tomorrow, these would still not be enough to meet the demand. Week after week, the requests pour in – some from Mass centers the Society already serves, requesting Mass more frequently, others from people in other locations, requesting Mass just once a month.

In virtually every location, one hears the same statements time after time: "Father, say Mass every Sunday morning here at 10:00 and watch the crowds grow," or "Come to live here, Father. We'll have to buy another church, because we'll be bursting at the seams."

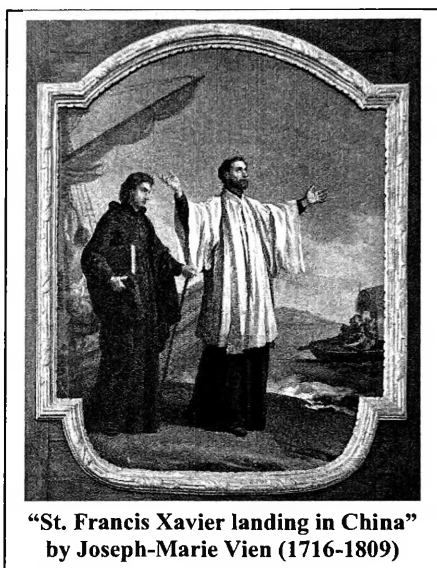
With seven priest-members of the Society in the District and one dedicated affiliate, it will be impossible to fulfill these requests for a while, and, in the meantime, there are

many traditional Catholics who will just have to “hold on” as best they can.

“But,” many will say, “how can we be expected to hold on to our faith for the next few years until more seminarians are ordained if we don’t have priests to help us now? Isn’t what you ask impossible?”

For an answer to this question, we turn to a glorious chapter in the history of the Church, the story of the Catholics in Japan. These souls were able to preserve their Holy Faith in such a way that they were able to pass it down from generation to generation in the face of a bitter persecution which lasted for centuries. They had no priests to turn to for sacraments and instruction for well over two hundred years. Surely, weak children of this generation that we are, we can learn much from them about the sort of faith we ought to have in our own time.

The Conversion of Japan to the Catholic Faith



“St. Francis Xavier landing in China”
by Joseph-Marie Vien (1716-1809)

Europe first heard about the existence of Japan from the narratives of the explorer Marco Polo in 1298. During the time that he spent in the court of Kublai Kahn, he learned quite a bit about the island empire, but it was not until 1542 that the first European, the Portuguese explorer Mendez Pinto, set foot on its soil. He found two pagan religions existing side by side in Japan, Buddhism and Shintoism.

In 1549 St. Francis Xavier and five companions landed in Japan and began the work of converting the people. So successful was the work of the Jesuit missionaries under the direction of the Saint that by 1582 there were 250 churches throughout the empire, attended by 200,000 faithful. The

Jesuits made innumerable converts among the princes of the empire, and won the favor of the Shogun, or chief warlord of the empire.

In 1587, however, Hideyoshi became Shogun, and, under the influence of the *bonzes* (Buddhist monks) undertook a limited program of persecution against Christianity. He issued a decree ordering the destruction of all Catholic churches and the expulsion of all priests from the empire. However, the Christian princes succeeded in their efforts to get the Shogun to mitigate some of the provisions of the decree to the extent that he even allowed the Jesuit Bishop Peter Martinez to exercise his episcopal office throughout Japan. However in July, 1596, when the total number of Christians throughout Japan numbered 300,000 served by 134 priests, an event took place which confirmed the worst suspicions of the Shogun and which caused him to undertake a full-scale persecution of the Christian religion in the empire.

The captain of a Spanish ship had some difficulty obtaining free passage for some of his cargo, and he tried to intimidate the imperial officials by boasting of the power of Spain and by showing them a map of Spanish possessions throughout the world. When the astonished officials asked him how Spain became so powerful, he told them that the activity of the missionaries was used as a means of subverting the people in order to prepare them for military conquest.

This unfortunate statement was relayed to the Shogun, and soon the persecution began. Governors of cities made lists of all who had any contact with the missionaries, and began imprisoning priests and religious. The faithful steeled themselves for the coming persecution, and many great lords of the empire were so courageous that they even visited the missionaries in prison.

Japanese Blood is Shed for the Faith

The first group of martyrs was small, numbering only twenty-four, including nine priests and fifteen Japanese laymen

(three of them altar boys). Over a period of a month, they were publicly tortured, and forced to march through different cities. Two more Christians eventually joined them. On the road to Nagasaki, they paused to make their sacramental confessions at Urakami, and then went on to be martyred at Tateyama, which place Japanese Christians have ever since referred to as the Holy Mountain. Twenty-six crosses had been prepared for them, and they were bound to them with ropes and iron collars. They began to chant the Canticle of Zachary and pray for the conversion of Japan. Just as the executioners stepped forward to deliver the final blow, one of the altar boys intoned the canticle "Praise ye the name of the Lord, ye children of the Lord," but his song was cut short by the thrust of the lance. Each champion of the faith invoked the names of Jesus and Mary before they were sent on their way to paradise.

The Shogun Hideyoshi died in 1598, and since his heir was only six years old, the regent, Yeyasu, obtained the title in 1604. Yeyasu devoted the first fifteen years of his reign to consolidating his power, and therefore had little time for persecuting what the *bonzes* referred to as "the Perverse Religion of Jesus." During this time, there were a number of bloody persecutions, but they were purely local. The blood of the martyrs once again proved itself to be the seed of the Church, and by 1605 there were about 1,800,000 Japanese Christians. Jesuits, Franciscans, Dominicans and Augustinians opened not only churches but hospitals and orphanages in nearly every province of the country.

By 1611 the missionaries had established an academy which was frequented by members of the imperial court who were interested in mathematics. One of the princes even sent an envoy to Pope Paul V who made him a citizen of Rome and a senator. The envoy was eventually baptized in Madrid in the presence of King Phillip III and Anne of Austria. The prospect of converting all of Japan to Christianity seemed imminent until the arrival of the Dutch in 1609 and the English in 1611.

The Dutch were allowed to establish a trading agency on

the island of Hirado, and in 1640 some of their merchants were allowed to begin trading in Deshima. They tried from the beginning to poison the mind of the Shogun Yeyasu with tales of a Catholic conspiracy against Japan. They depicted every priest as an agent of the Spanish King preaching subversion. Whether or not he really believed that he was in any actual danger is not known, but perhaps he thought that he could at least rid himself of rivals by persecuting the Christian princes of the empire.

In 1613 he summoned fourteen lords of his court and ordered them to renounce the Catholic religion or have all their goods confiscated. They preferred poverty to apostasy. The bloodshed soon began.

When eight persons were sent to be burned at the stake, among them three lords of the court, 20,000 fellow Christians appeared at the gates of the prison and accompanied them to the place of execution, reciting the Rosary. When the flames had begun their work, the bonds of one of the martyrs, a child of twelve, came loose. Instead of fleeing to safety, he threw himself into the arms of his mother crying "Jesus, Mary."

The Missionaries Are Banished

During the next two years, all the missionaries were deported to the Philippines, save for a few who had managed to go into hiding. Yeyasu died in 1615 and was succeeded by his son, who continued the search for the remaining missionaries, slaughtering them whenever they were found. In 1619 he burned fifty men, women and children at Myako, and countless others throughout the realm.

In 1621 the Dutch and the English captured a Spanish ship off the coast and turned the passengers and crew over to the imperial officials, who promised them freedom if they would revile their religion. Two of the passengers were priests, and they were burned at the stake. Thirteen of the crew refused to apostatize, and were beheaded.

In 1622 twenty priests and thirty-two members of the

Japanese aristocracy were put to death after having suffered unimaginably cruel tortures.

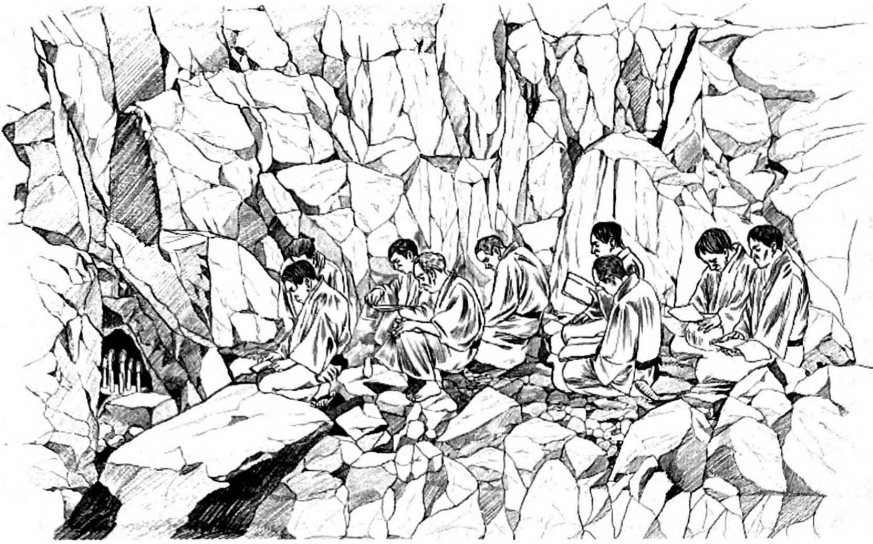
By 1624 the persecution was universal throughout the empire, and was well-documented by the Dutch merchants who assisted the Shogun in his campaign out of their hatred for the Catholic Faith. It is difficult to document the exact number of those who died for the Faith during these early persecutions. We are sure that at least 200 missionaries were martyred, and most authorities put the number of martyrs among the laity at around 2,000,000.

In 1637 over 37,000 male adult Christians of the province of Arima, led by a Christian prince, rose up in revolt against the pagans. The Shogun immediately besieged them with about 80,000 troops. Assisted by the Dutch, who had furnished them with a battery of artillery, the imperial soldiers slaughtered every last Christian.

After this, more than two centuries were to pass before a Christian could enter Japan without either renouncing the Savior or sacrificing his life. The Shogun made no exception to this rule, even for the Protestant Dutch traders. All Europeans were required to trample upon an image of the Cross as soon as they stepped off the ship onto Japanese soil, a gesture which the Shogun regarded as a sufficient proof of apostasy. The Dutch did this without hesitation, since they wished to continue the profitable trade they had begun with the Japanese. Dutch officers continued to assist the imperial officials who examined and tortured Christians.

By this time, there were almost no priests remaining to offer Mass or administer the sacraments to the numerous Christians who remained. With the exception of an occasional missionary who was able to slip into the country unnoticed, the faithful were left to their own devices to preserve their faith as best as they could. When the last of the few remaining native Japanese priests died, the Holy Sacrifice of the Mass was only a memory in the hearts of most Christians.

Nevertheless, the laity continued to practice and preserve all that they possibly could without priests. They baptized



their children on their own, and instructed them in the rudiments of the Catholic Faith from generation to generation. They recited their prayers together and venerated images of Our Lord and Our Lady, which they were, nevertheless, obliged to keep hidden away from pagan eyes. They recounted the glorious deaths of their forebears who had died for the faith. While many fell away over the two hundred years that were to pass before the Mass and sacraments were to return to Japan, many kept the Faith, and many, no doubt, were saved.

The Mass Returns, the Faithful Rejoice

In the 1860's Japan began to look outward to other countries for trade on a larger scale. Many Catholic countries established diplomatic delegations in Japan, and they found it necessary to send along priests with them to serve the diplomats. The Europeans obtained permission from the Japanese government to build churches wherever they established a consulate. The priests who were assigned to these delegations soon began to discover some remarkable things.

On March 17, 1865, Father Petitjean, assigned to serve at the newly-constructed European church in Nagasaki, no-

ticed a group of Japanese standing before the closed door of the church, and it seemed that their attitude was more one of respect than of curiosity. He opened the door of the church and entered, followed by the little group. When he arrived at the communion rail, he genuflected, and was astonished to note that three women in the group knelt by his side. Praying to God for the right words which would inspire such willing hearts, he arose.

Suddenly one of the women, her hand over her heart, came close to him, quickly glanced around the church, and whispered:

"All these people have hearts like your own," a Japanese expression meaning that their faith was the same as his.

"Where do you come from?" the priest asked. "From Urakami. In Urakami, nearly all have the same hearts as we have. Where is the image of Holy Mary?"

The priest led the little flock to the altar of Our Lady. Imagine the joy he felt when they knelt and he heard them say:

"Yes, yes! This is indeed the Holy Mary. She holds in her arms her august Son."

The image of the Infant Jesus reminded these souls of the Nativity, which they celebrated in the eleventh month. One of them spoke:

"We keep the feast of Our Master, Lord Jesus on the twenty-fifth day of the month of the Frosts. It has been handed down to us that at midnight on that day Jesus was born in a stable; that afterward he grew up in poverty and suffering; and that when He was thirty-three years old, He died on the Cross for our salvation. Just now we are in the time of sorrow."

When some other Japanese entered the church, the group tried to hide themselves, but they soon recognized the newcomers as people from their own village who "had the same heart." Soon, they all departed, fearing discovery and persecution by government officials, who, only six years before, had cast thirty Christians from Urakami into prison for their religious practices. Ten of those imprisoned had died.

At this point, we will let Father Petitjean speak for himself by citing excerpts from his diary:

March 18: "From ten in the morning until night these bands succeed one another. The Japanese officers, alarmed by this extraordinary attendance, send one of their number into the church every quarter of an hour."

March 19: "Same as yesterday. Many Japanese remain in the church, even at Mass, and among them I can recognize our Christians. By fours and fives, they come to venerate the crucifix. I teach them how to make the Sign of the Cross, for they have been accustomed to make it by marking a cross with the right thumb on the forehead and breast. They always ask our names, telling us that their names are Peter, Paul, John, Dominic etc."

March 20: "The number of visitors increases: the whole quarter is thunderstruck: the officers have mounted guard around the church. As yesterday, so today. We refrain from showing ourselves in the church, since the least imprudence would compromise these poor creatures. When perchance we can send them a word, we tell them to return tomorrow, that the officers are watching them..."

March 21: "The officers are still in the watch. Christians and pagans are mixed together in the crowds. We recognize the former by their laying of hands on their breasts whenever they catch our eyes. We tell them to come only once in a fortnight, so that they may not expose themselves to the vengeance of the government. They understand that their lives are at stake, but their zeal is invincible."

March 22: "The Christians have undoubtedly heeded our recommendation, for they now come in smaller numbers; hence the officers either stay away, or come without their swords. We have been able to talk with a few of our friends, and have decided to meet them tomorrow on a mountain near the city. We hope to satisfy ourselves on certain points. For instance, have these 'old Christians' preserved the integrity of the form of Baptism, and have they preserved a knowledge of the essential mysteries of the Christian faith? Do they say their prayers regularly?"

Preserving the Faith with Mary's Help

March 23: We have returned from our rendezvous. Only one of our friends was there, but he gave us very important information. In spite of the persecution, Urakrami has never ceased to contain many Christians. Holy Baptism has been regularly administered; Sundays and feast days have been observed. They pray to God, and they invoke the Blessed Virgin Mary, their Guardian Angels, their patron saints. Paul, my informant, has promised to introduce me to the 'Baptizer' of Urakrami in a house which is visited frequently by Europeans, the master of which is a Christian... Twelve leagues from Nagasaki there is another village of Christians, though less populous than Urakrami; and perhaps we may discover many others as we penetrate farther into the country."

During the following month of May, the two priests in Nagasaki discovered several communities of "old Christians." A young man from the Goto Islands, curious at the crowd, entered the church, and, seeing the statue of Our Lady knew that he was in a Christian church. He came upon the priests, and told them that his family was from Nagasaki, and that they had fled from persecution two centuries earlier. He said that his family had preserved the faith inviolably, and that there were a thousand Christians on the island where he lived.

A few days later, Father Petitjean was praying at the altar of Our Lady when two men approached him. They told him that they had come to the church by a circuitous route to outwit the police. They said that in their mountains there were fifteen hundred Christians, but that they had no religious images, since the government had confiscated them. They asked for some religious images so that they could be aided in their prayers.

On May 15, a delegation representing the Christians on the island of Kaminoshima arrived, headed by the man who performed the baptisms for the group. He pronounced distinctly the words he used when administering the Sacra-

ment of Baptism, and the priests discovered that the form was valid. He told the amazed priests how his fellow Christians recited the Rosary and the Act of Contrition, particularly at the hour of death. He wanted to know the name of the "Great Priest" who was the "Grand Head of the Kingdom of Rome." As the delegation was about to depart, the "Baptizer" timidly asked Father Petitjean:

"Have you any children?"

"The good God has given to us all your countrymen as our children. Other children we cannot have; for just like the first priests who came to Japan, we are bound to celibacy," the priest replied.

Then the entire group fell to its knees, touched the ground with their foreheads and exclaimed:

"They are virgins! Thanks! Thanks!"

The simple souls had heard a few weeks previously that some Christians of Urakami, visiting Nagasaki had noticed a cross on the steeple of a recently-built Protestant church. They entered and spoke with the minister, who invited them to bring their wives for services, adding that his own wife would be glad to speak with them. It was then obvious to the Japanese that the minister was not cut from the same bolt of cloth as St. Francis Xavier, and that they ought to have nothing to do with him.

Father Petitjean learned that the "old Christians" had another method of determining whether a missionary was a member of the Church they were looking for. They would ask "Have the Great Kingdom of Rome and your kingdom the same heart? Have you been sent by the Grand Head of the Kingdom of Rome?"

Father Petitjean went on to make one amazing discovery after another in his travels throughout Japan, and many other European priests had similar experiences. While the number of Japanese Christians was by no means as great as it had been in the 1600's, nevertheless many preserved the "faith of their fathers."

In spite of this, the progress made by the missionaries who followed Fr. Petitjean was slow, and the days of mass

conversions to the faith had long passed. Even in our own times, it is sad to note that Catholics are still a very small minority in Japan.

Traditional Catholics ought to take some consolation from this account. If anything, the present situation they face is far better than the situation which the Japanese Catholics faced for the two hundred years when they were forced to preserve the faith and pass it on to their children without so much as even an occasional visit from a priest to offer Mass, hear confessions, preach and aid the dying.

To put the matter in a proper perspective, Catholics ought to ask themselves if their faith would be as strong as that of the Japanese. If all traditional priests were to disappear off the face of the earth, one wonders what they would find among the descendants of present-day traditional Catholics if they were to return after two hundred years. Many, no doubt, would have abandoned any religion altogether; many, no doubt would have gone back to the *bonzes* of the Conciliar Church out of convenience. One would hope and pray, however, that the vast majority would have preserved the Catholic Faith intact, and would be ready, if needs be, to pass it on to future generations so that many more souls might be saved.

LIGHT ON THE OSJ

History, Canon Law, and the Order of St. John

Rev. Anthony Cekada

The Roman Catholic, December 1981

- To call into the active life the religion of love, which will in time replace all existing religions
- To spread great fundamental truths which are the same for all faiths and all nations
- To bring about a conscious union of human souls with the soul of the universe

- From the "Spiritual Message" of Grand Duke Alexander
Grand Master of the OSJ December 9, 1928

The Sovereign Order of Saint John of Jerusalem encompasses within its membership both Eastern and Western Rite Catholics and Protestants whose sincere Christian faith and good works are signs of unity within Christ's Mystical Body.

- *OSJ Messenger*, Vol. 36, no. 1, 1981.

Since the Second Vatican Council a number of traditional Catholics have become involved with the "Sovereign Order of Saint John of Jerusalem," (commonly called the "OSJ"), an organization headquartered for some time in Pennsylvania, later in Tennessee. The OSJ has put forth a number of rather astounding claims as to what it is and what its "rights" are, and has founded a number of Mass centers throughout the United States. Hence, many traditional Catholics would like to know more about it and whether or not they ought to assist at Masses offered by its priests.

In brief, the OSJ claims to be both a sovereign state and a Catholic religious order possessing some rather extraordinary privileges. Its apologists claim that it is the only true descendant of the Roman Catholic religious order commonly called the Knights of Malta, and they base their claims primarily on the decrees of Czar Paul I of Russia

(1796-1801), a Russian Orthodox schismatic who attempted to claim the office of Grand Master (Superior General) of the Order. They maintain that the Czar had created “hereditary” members of the Order, and that a descendant of one such “hereditary” member of the Order “transferred” the Order to the United States. They further claim that the religious Order known as the Sovereign Military Order of Saint John of Jerusalem (which is recognized by the Catholic Church, is headquartered in Rome, and to which, for the purposes of our discussion, I will refer as the “SMOSJ”) is not the “true” Order.¹

My purpose in writing this article is to assess some of the claims of the OSJ and arrive at some sort of a practical conclusion for traditional Catholics. The subject is necessarily complex, as the claims of the OSJ are quite complex. For the sake of clarity, I have divided the discussion in the following manner:

- 1) Origins and organization of the religious Order of the Church known as the SMOSJ;
- 2) The SMOSJ in Russia during the time of the crisis with Czar Paul I;
- 3) The continuation of the SMOSJ outside Russia from the crisis to the present;

¹ Apologists for the OSJ seem to have some difficulty in providing primary historical sources to back up some of their claims. Father James Wathen’s *Is the Order of Saint John Masonic?* (Rockford IL: TAN Books 1973) is a good example. In Chapter 5 (in which he attempts to prove that the Catholic Priory of the Order in Russia continued in uninterrupted existence throughout the Nineteenth Century), the only references he offers to justify his position are to two French and two English accounts. Such sources were “on the outside looking in,” so to speak, and could have misinterpreted what they claim to have seen. Father Wathen’s case might have been convincing, had he been able to produce references to documents or letters written by members of the “Catholic Priory” which was alleged to have existed. On p. 46, he asserts that Austria and Greece successively offered various islands to “the Order in Russia.” No references, however, are given. Additionally, on pp. 44-45, Father Wathen disparages what he calls the “ponderous pleading” of de Sherbowitz-Wetzor and Toumanoff’s book (*vid. infra*). However, de Sherbowitz-Wetzor and Toumanoff back up their case with a multitude of references to primary sources and documents – something which Father Wathen does not do.

- 4) "Hereditary commanders" and the suppression of the Order in Russia;
- 5) Some interesting historical notes on the OSJ in the United States;
- 6) Some objections to the OSJ on canonical grounds; and
- 7) The OSJ and ecumenism.

I am sure the traditional Catholics involved with the OSJ will take a dim view of this effort. Be that as it may, I encourage them to take the time to give this article a careful reading, with particular attention to the primary sources I cite in section four, rather than simply take on faith what their apologists have been saying for years.

1. The Sovereign Military Order: A Long and Glorious History

The Sovereign Military Order of Saint John of Jerusalem, whose present headquarters is in Rome, enjoys a long and glorious history in the service of the Catholic Church. It was originally founded early in the twelfth century in Jerusalem to care for pilgrims to the Holy Land, and eventually took on the care of the sick and the poor. It ran hospitals, hence, it came to be known as the "Hospitallers of Saint John of Jerusalem." However, the times were dangerous, and the Order soon acquired a military character when it undertook the protection of pilgrims to the Holy Land. Around the beginning of the thirteenth century, the rule of the Order spoke of military service. Members of the Order bound themselves to the vows of poverty, chastity and obedience like all other religious: some served as knights, some as infirmarians and priests served as chaplains.

The Order enjoyed papal approval and protection, and held high privileges from both the Church and the state. It was recognized as a regular order; it was exempt from taxes and tithes; it had its own chapels, cemeteries and clergy; it was independent of secular authorities; and it was directly

subject only to the pope. Eventually it acquired enormous temporal wealth, both in the Holy Land and in Europe, as a result of the generosity of great lords.

After the fall of the Holy Land, the Order made its headquarters on the island of Rhodes. Members of the Order became adept at naval warfare and the Order was looked upon as a temporal entity as well as a spiritual one. The organization of the Order took on a more fixed form and became truly international. The head of the Order was called the Grand Master. He was assisted by a Supreme Council and by officials called Bailiffs.

There were eight different national groups (called "tongues"), which were themselves divided into priories. The smallest unit of the government of the Order was a commandery, and it was responsible to its priory. As with other religious orders, there was an honorary title which it bestowed on benefactors of the Order, that of "Protector," usually



reserved for a high-ranking ecclesiastical or secular dignitary. Although the titles of the different officials of the Order are somewhat exotic, nevertheless, its structure and form of government is virtually identical to that of other Catholic religious orders.

In 1522, the attempts of the Turks to expel the Order from Rhodes were finally successful, and, in 1530, the Order was given the island of Malta by Charles V, at which time it came to be known as the Knights of Malta.

The Order continued its campaigns against the Turks and later against the Barbary pirates. Its headquarters

remained in Malta, and its work was supported by the numerous income-producing properties it held in various European nations.

At this point, observers note that the Order seemed to go into a decline. It followed the standard military procedure of the times when it would rescue Christian galley slaves from pirates, and sell the captured pirates into slavery themselves, but the cruelty involved in this seemed to have had a bad influence on some of its members and on their attitude toward their religious vows.² Priories and commanderies on the continent of Europe retained only very loose ties with their Grand Master in Malta, hence there were problems with obedience and discipline. So too, since Knights were recruited solely from among members of the nobility, the strict observance of the vow of poverty often fell into practical disuse.

Toward the end of the 1700's the fortunes of the Order of Malta had fallen to its lowest state with the destruction of the balance of power in Europe. The Knights had lost the primary purpose for their existence, which was military. The loss of lands throughout Europe after the Protestant revolt had made them dependent on France, and after the Revolution they faced a severe financial crisis.³ This forms the background against which one of the most curious episodes in its history is set: the attempt to make a schismatic, Czar Paul I of Russia, the head of a religious order of the Roman Catholic Church – and it is this period we must examine in some detail if we hope to arrive at an accurate assessment of some of the claims made by the Pennsylvania OSJ.

² Charles Moeller, article, "Hospitallers of Saint John of Jerusalem," in *The Catholic Encyclopedia*, (New York: Robert Appleton Co.: 1912), vol. vii, pp. 479-480.

³ Roderick E. McGrew, "Paul I and the Knights of Malta," in *Paul I, A Reassessment of His Life and Reign*; Hugh Ragsdale, editor, (Pittsburgh: University Center for International Studies, 1979), p. 46. Professor McGrew's study is exhaustively researched through contemporary historical documents of the period. It was originally read at the 1976 national meeting of the American Association for the Advancement of Slavic Studies.

2. The Revolt in Russia and The Schismatic Sovereign

In 1788 and 1789 Giulio Litta, a Bailiff of the Order, went to the court of Catherine the Great in Russia to negotiate favorable conditions for the Order's moribund Polish Priory in an area conquered by Russia. At the same time, his brother, Mgr. Lorenzo Litta, Papal Nuncio for Poland, arrived in the Empire to negotiate for Polish Catholics in the new territories. Neither of the brothers had any real success.⁴ However, the situation changed on November 5, 1796 when Catherine died and Paul I became Czar.

Czar Paul was very favorably disposed toward the claims of the Knights of the Order. Giulio Litta wrote an enthusiastic letter to his superiors in Malta, but Paul secretly planned to absorb the Polish Priory into his influence.⁵ Litta at this point was worried about his personal fortunes, since his lands in Italy had been seized, and he saw the Czar's plans as a way to insure his future.⁶

Litta completed an agreement with Russia on Jan 4, 1797 and the Polish Priory was transferred to the Imperial Capital at St. Petersburg. Czar Paul was most generous: he paid the Priory's past dues to Malta and established a generous endowment for it.⁷ At this point, only the Czar's Roman Catholic subjects were eligible to serve in the new Russian Priory. Paul promised to protect religious freedom of the Catholic knights and to observe its traditions, customs and regulations.⁸

Count Ferdinand von Hompesch, Bailiff of the German Priory was elected Grand Master of Order on July 16, 1797 after the death of the previous Grand Master, de Rohan. On August 7, the Grand Council of the Order at Malta accepted the terms of the Czar's agreement with Bailiff Litta and showed its gratitude by electing him "Protector" of the Or-

⁴ McGrew, p. 47.

⁵ McGrew, p. 48.

⁶ McGrew, p. 48.

⁷ McGrew, p. 49.

⁸ McGrew, p. 48.

der, an honorary title which was enjoyed at that same time by the Emperor of Austria.⁹

On December 10, 1797 Czar Paul I was formally invested in Saint Petersburg as a Protector of the Order of Malta, and Count von Hompesch and the Supreme Council sent him a number of lavish gifts to show their appreciation.¹⁰

It seems that Paul had an obsession with ceremony and court ritual, hence being Protector of the Order of Malta gave him another excuse for pageantry. He built a splendid priory and chapel in Saint Petersburg, and provided a generous chaplain's salary for Mgr. Lorenzo Litta.¹¹

On June 12, 1798, von Hompesch surrendered Malta to Napoleon Bonaparte, and he fled to Trieste, arriving July 25. There he set up a temporary headquarters with permission of the Austrian Emperor.¹²

On September 6, the Russian Priory passed a resolution in which they stated that Grand Master von Hompesch is "accused and convicted of improvidence, cowardice and treachery." They claimed that they were absolved from obedience to him, that he was disqualified from his office of Grand Master, and they concluded by promising to give their allegiance to the Czar, their Protector.¹³

Unaware of what had taken place, von Hompesch wrote to the Priory of Russia and Bailiff Litta, telling them to "fulfill with perfect exactitude and union the duties enjoined by the Order's statutes – if possible with more zeal than ever." But the Knights of the St. Petersburg Priory ignored his letters.¹⁴

The reaction from Priorities in other countries was mixed at this point toward von Hompesch, and none apparently

⁹ McGrew, pp. 49-50.

¹⁰ Andrew P. Vella, O.P.; monograph, "Malta and the Czars 1697-1802," (Malta: Royal University Press, 1972), p. 26. Father Vella was formerly head of the History Department at the Royal University of Malta. His monograph contains 25 pages of documents in their original languages with English translations.

¹¹ McGrew, p. 51.

¹² Vella, p. 27.

¹³ McGrew, p. 51 and fn.

¹⁴ Cited in Vella, pp. 28-29.

supported such a strong course of action.¹⁵

Professor McGrew reflects on the source of the protests, and points out that the Russian Priory was not even Russian at this time. Orthodox nobles, he says, were not eligible, and Czar Paul had no official status in the Priory – only an honorary one. The Knights of the Russian Priory still had to take vows of poverty, chastity and obedience as Roman Catholic religious.¹⁶

It seems that the Bailiff Giulio Litta was responsible for this attempt to depose Grand Master von Hompesch. Professor McGrew says that the accusations of the Russian Priory rested on forged letters which originated with him,¹⁷ and Father Vella says they were “written with malicious intent as a means to discredit (von Hompesch) and put the Czar of Russia in his place.”¹⁸

Litta’s motives, it seems, were somewhat mixed. He wanted to remain in Russia, and he had already requested dispensation from his religious vows as a Knight of the Order so he could marry. Since he was in the favor of the Czar, he wanted to see the Order controlled by him.¹⁹ However, he seems to have had other motives as well, somewhat more noble in that they involved using the Order to restore the pre-Revolutionary political order.

Another consideration is the financial generosity of the Czar toward his brother, the Nuncio.²⁰

When Pope Pius VI heard of the action of the Russian Priory, he said that there might be a case against Grand Master von Hompesch, and suspended him from his office. However, he did not depose him, and awaited the results of further investigations. The Pope wrote the Bailiff Litta on October 17, 1798 telling him:

as the Russian Priory so far is alone in this action, it is insuffi-

¹⁵ Cf. McGrew, p. 52.

¹⁶ McGrew, p. 52.

¹⁷ McGrew, p. 54.

¹⁸ Vella, p. 28.

¹⁹ McGrew, p. 55.

²⁰ McGrew, p. 55.

cient to declare [von Hompesch] fallen from his magisterial dignity; therefore it will be necessary to wait for the decision of the other Langues [national groups] to verify whether Hompesch is guilty of the crime which is laid to his charge by the said Priory.²¹

The two Spanish groups, Castile and Leon, renewed their allegiance to von Hompesch.²²

After his letter to Litta, Pius VI wrote to the Czar on November 5, 1798, approving the establishment of the Order in the Russian Empire.²³

However, before the Pope's letter even arrived, the Knights of the Russian Priory and some other national representatives elected Paul I Grand Master on November 7, 1798.²⁴ Father Vella tells us that the Russian Priory ignored all electoral Statutes, and adds that the Russian Knights might as well have tried to elect Czar Paul I pope.²⁵

Paul's first act as "Grand Master" was to create another Priory open to all nobles regardless of their religious faith.²⁶ (It will be useful to recall this later when we discuss the ecumenical nature of OSJ).

Giulio Litta seems to have twisted the meaning of the Pope's letter when it finally arrived. Contemporary sources in the Russian court had the false impression that the Pope had approved of the attempted deposition of von Hompesch, approved the election of the Czar as Grand Master and asked only that the Russians try to get the approval of the other nations.²⁷

²¹ Quoted in Vella, p. 31; cf. also McGrew, p. 56.

²² Vella, p. 32.

²³ Vella, p. 32.

²⁴ Vella, p. 32, and ff. The text quoted in fn. 3 is of interest: "'The Locotenenti of the Cities and Boroughs and the Representatives of the Towns (of Malta) to the King's Civil Commissioner,' (see Royal Malta Library, Library 532 f. 10v.), thus commented on this election: 'A few despicable mendicants took refuge in Russia, where they were more safe from danger than in the camp before Valetta, and created for a piece of bread a schism in their Order, which was as much a violation of all their obligations.'"

²⁵ Vella, p. 37 and fn.

²⁶ McGrew, p. 61.

²⁷ McGrew, p. 57.

It wasn't until December 12 that the Papal Nuncio, Mgr. Lorenzo Litta, wrote a letter to the Pope informing him of the attempted election of the Czar as "Grand Master." Even then, it seems that his information was couched in very cloudy terms.²⁸

The Papal Secretary of State sent a dispatch to Russia on March 16, 1799 with a *Pro-Memoria* reviewing the entire question of the conduct of the Russian Priory. Father Vella notes that the document:

deplored that von Hompesch had been deposed in an irregular and unconstitutional manner opposed to the Constitutions of the Order and to the Apostolic Constitutions, and also, what was even more irregular, the proclamation of a sovereign not professing the Catholic Religion as head of a religious order²⁹

and the *Pro-Memoria* itself states that:

His Holiness cannot forget the rights proper to the Apostolic See regarding a regular Order for which it is responsible in the sight of the whole world, - - for any sort of act which injures the rights of the Holy See or which is contrary to the customs of the Order itself.³⁰

Three different sources indicate that diplomatic efforts failed to convince the Pope that the election was valid.³¹ In this connection, Professor McGrew says that:

Pius VI was unwilling to approve the election of a married schismatic who had never taken orders [made vows?] to be the head

²⁸ Vella, p. 34.

²⁹ Quoted Vella, p. 38. The phrase quoted by Father Vella actually reads "opposta alle costituzioni dell'Ordine e alle costituzioni Apostoliche."

³⁰ Quoted in Michel de Pierredon, *Histoire Politique de l'Ordre Souverain de Saint Jean de Jerusalem, Ordre de Malte, de 1789 d 1955*, (Paris: 1963), 2nd edition, vol. ii, pp. 385-386. The text reads as follows: "Sa Sainteté ne peut pas oublier les droits qui appartiennent au Siege Apostolique sur un Ordre regulier, et qui la rendent responsable devant l'univers - - de tout acte quelconque lesant les droits du S. Siege ou contraire aux constitutions de l'Ordre lui-meme." The documents reproduced (in French, unfortunately) in de Pierredon's two-volume work render it invaluable for a study of the period in question.

³¹ Vella, p. 38; Moeller, p. 480 and McGrew, p. 59.

of the Knights of Malta.³²

There are a number of explanations for the Czar's involvement in all this. One is that he looked upon the Order as a way of increasing the prestige of his court and as an element of control over his nobility. Or again,

one remaining alternative is to claim that Paul was simply afflicted with delusions of grandeur, and it was to satisfy such a delusion that he accepted the Grand Mastership.³³

Father Vella observes that the activities of Giulio Litta and his supporters,

by means of conspiracies, intrigues and forgeries made this affair one of the most cynical episodes of eighteenth century Maltese history.³⁴

Finally, it is interesting to note in passing that historians have long speculated about the mental condition of the Czar. One diplomat in the court wrote:

The fact is, the Czar is not in his senses. This truth has been for many years known to those closest to him, and I have had frequent opportunities of observing it. But since he came to the throne, his disorder has increased.³⁵

and Roderick Cavaliero speaks of Paul's

frequent rages, psychopathic sensitiveness to the merest report or rumor, blind fanaticism over the shape of a hat, the cut of a uniform, willful prejudices, a brain turning under the solvent of undiluted power - - The lunacy, it was thought, had begun with his coronation as Grand Master.³⁶

³² McGrew, p. 63.

³³ McGrew, p. 60.

³⁴ Vella, p. 39.

³⁵ Quoted in Roderick Cavaliero, *The Last of the Crusaders: The Knights of Saint John of Malta in the Eighteenth Century*, (Philadelphia: Dufour Editions, 1963), p. 256. Cf. also Hugh Ragsdale's "The Mental Condition of Paul" in *Paul I, A Re-assessment of His Life and Reign*, *ut sup.*, note 3.

³⁶ Cavaliero, p. 256.

3. Order is Restored and The Order Continues

After the Czar's death in 1801, it was the Pope who named the Grand Master or the Bailiff (Lieutenant) who takes his place.³⁷ Pius VII allowed the controversy to die down for a while, but in September, 1802 offered the post of Grand Master to the Bailiff Ruspoli, who turned down the Pope's offer.³⁸ The Pope finally settled on the Bailiff Giovanni Tommasi, and he was elected to the office of Grand Master on February 9, 1803. Tommasi held a General Assembly of all available Knights in the Priory at Messina where he received their homage, and we learn that even Czar Alexander, Paul's successor, approved of his election (see below).³⁹ Grand Master Tommasi died in 1805, after which the post remained vacant. A series of Bailiffs managed the affairs of the Order in place of the Grand Master. The headquarters of the Order moved from Messina to Catania to Ferrara, until finally it was re-established in Rome in 1834.⁴⁰

On March 29, 1879 Pope Leo XIII issued the Apostolic Letter *Solemne Semper* in which he restored the Grand Mastership and conferred the title on Giovanni Ceschi a Santa Croce. Leo mentioned Czars Paul I and Alexander I, but only as protectors of the Order, a title which is purely honorary. In the conclusion of the letter, he says that "as for the rest which might militate against this letter, We hereby abrogate specifically and formally, along with all that is contrary to it."⁴¹

From that time forward, the Order regained more of its

³⁷ James van der Velt, O.F.M.; monograph, "Ecclesiastical Orders of Knighthood," (Washington DC: Catholic University Press, 1956), p.21. Cf. also Moeller, p. 480.

³⁸ Cavaliero, pp. 263-264.

³⁹ Cavaliero, p. 264.

⁴⁰ Van der Velt, p. 21.

⁴¹ The text cited is taken from a typewritten translation of the entire document. The translation, I believe, was made by Hugo Maria Kellner during the height of the "Knights and Daze" controversy in the late sixties and early seventies. Laying hands on the Latin original of this rather obscure document of Leo XIII posed a problem, in that his reign seemed to be too late for inclusion in the only available edition of the *Bullarium* and too early for the *Acta Apostolicæ Sedis*.

original character as an organization devoted to the care of the sick and the poor.⁴² Indeed, the account of the charitable activities of the Order from the loss of Malta until the Second World War alone fills eighty pages in one particular history.⁴³

As of 1910, the conditions for entry into the Order were quite stringent. In addition to having the Catholic Faith, high social position, legal age and integrity of character, one had to have nobility of 16 quarterings.⁴⁴

Under Pius XII, the legal status of the Order was established with greater precision. He appointed a commission of Cardinals on December 10, 1951, and on January 24, 1953, the tribunal issued a judgment which may be summarized as follows:⁴⁵

- 1) The Order is sovereign, and this fact has been recognized by the Holy See, numerous other states and by international law.
- 2) It is a religious order subject to Canons 487 and 488, (1 and 2) of the Code of Canon Law and is approved as such by the Holy See. Its purposes are: the sanctification of its members and other religious and charitable works.
- 3) the Order is dependent on the Holy See, and, in particular, as a religious Order, on the Congregation of Religious, according to the norm of Canon Law. Persons who receive marks of distinction from the Order are dependent on it, and, through the Order, on the Holy See as well.

⁴² Van der Velt, p. 21.

⁴³ Cf. Edgar Erskine Hume, *Medical Work of the Knights Hospitallers of Saint John of Jerusalem*, (Baltimore: Johns Hopkins Press, 1940).

⁴⁴ Moeller, p. 480.

⁴⁵ For the full text, cf. "Tribunale Cardinalizio Costituito con Pontificio Chirografo del 10 Dicembre 1951," from the *Acta Tribunalium in Acta Apostolicæ Sedis*, vol. xxxv, 1953, pp. 765-767. In point three the fact that the Order depends on the Holy See is reconfirmed: "L'Ordine Gerosolimitano di Malta dipende dalla Santa Sede - - e in particolare, come Ordine religioso, dalla Sacra Congregazione dei Religiosi, a norma del diritto canonico." Also paraphrased in van der Velt, pp. 22-23.

As proof of the Holy See's authority to make such decisions, the Cardinals cited the Apostolic Letter *Inter Illustria* of Pope Benedict XIV (March 12, 1753), the "Code" issued under Grand Master Rohan (von Hompesch's predecessor who died on July 13, 1797) and the Order's constitutions.

It might be helpful to mention the categories into which membership in the Order was divided after this decision. First, there are Knights of Justice, who take the three religious vows and form the strictly religious nucleus of the Order; second, there are Knights of Honor and Devotion who are required to furnish proof of ancient nobility; third, there are Knights of Magistral Grace who are affiliated with the Order.⁴⁶ Additionally, there are three other groups: Chaplains, Dames of Honor and Devotion and Donates or Benefactors. As well, the Grand Master may bestow the Cross of Merit of the Order on non-members, including non-Catholics.⁴⁷

Finally, the Order was given a new Constitutional Charter under John XXIII by a Brief on June 24, 1961.⁴⁸ A discussion of the Order of Malta after the Second Vatican Council is beyond our scope here, but it no doubt suffered the same fate as other Orders. Furthermore, it is hard to imagine how a medieval knightly order which places considerable emphasis on nobility of lineage fits into the post-Conciliar milieu of liberation theology, quasi-Marxist social principles and disdain for tradition.

4. Suppression in Russia and Hereditary Commanders

Since the OSJ in the United States (which occasioned this article) claims to possess some sort of historical continuity with the Order in Russia, it will be helpful to retrace our

⁴⁶ Van der Velt, pp. 21-22.

⁴⁷ Van der Velt, p. 22.

⁴⁸ "A Modern Crusade," booklet, (Rome: after 1962), p. 32. For the complete text of the John XXIII charter see: *The Constitutional Charter of the Sovereign Military Hospitaller Order of Saint John of Jerusalem, Rhodes and Malta*, (Rome: 1961). A new Code was also issued in Rome in 1966.

steps a bit here and examine some of the information available regarding the Order in Russia during and after the reign of Czar Paul.

The OSJ contends that Czar Paul appointed “hereditary commanders,” whose descendants (they imply) had the right to create other Knights, and thus continue the Order.

However, the expressions “hereditary commandery” or “hereditary commander” did not exist as legal terms in the Czar’s Acts of Foundation for the Grand Priories of Russia.⁴⁹ (If the OSJ wishes to dispute this assertion by our sources here, it would seem that they ought to consult the original Russian texts of the documents, aided by someone who is conversant with the fine points of Czarist jurisprudence). Many other groups calling themselves Knights of Malta have claimed that the Czar established “hereditary commanderies,” making it the stock-in-trade of what de Sherbowitz-Wetzor and Toumanoff, in their superbly documented work, refer to as the “Russian Legend.”⁵⁰

It cannot be denied that Czar Paul created “rights of patronage” (*jus patronatus*) by which certain noble families obtained the right to nominate officers of commanderies. However, it is important to note that his decree states that

no one having the right to succeed to a “jus patronatus” Commandery shall be admitted to this Commandery without possessing the following qualifications

among which were proof of appointment in accord with the Decree of Foundation, presumed proof of family nobility for 150 years, five years membership in the Order, payment of an admission fee and two years’ service in the Russian Impe-

⁴⁹ Fra Olgerd de Sherbowitz-Wetzor and Fra Cyril Toumanoff, *The Order of Malta and the Russian Empire*, (Rome: 1969), pp. 37-38. In their fn. 104 the authors refer to the original Russian documents to justify this assertion. Evidently, the purpose of this book is to refute the “Russian Legend” from an historical point of view. The authors succeed admirably with countless citations of primary sources. If there is one book every member of the OSJ should read, it is this one.

⁵⁰ De Sherbowitz-Wetzor and Toumanoff, pp. 36-37. Cf. the authors’ fn. 103 for further documentation.

rial Army as an officer.⁵¹ Thus it is fair to ask: Did the gentleman from Norfolk who, it is said, founded the American Grand Priory of the OSJ, obtain a commission in the Russian Imperial Army after his service as a Confederate Colonel and so meet the requirements laid down by Czar Paul?

In another place we read that the dignity of Grand Prior and Commander could

in no circumstances be conferred otherwise than upon subjects of his Empire capable of admittance to the Order of Malta.⁵²

In this regard, it is difficult to see how members of the OSJ living in Pennsylvania could consider themselves subjects of the Russian Empire. In any case, it is clear that the requirements for exercising a “right of patronage” were extremely stringent, and were not simply passed from father to son.

Early in 1801, the Czar filled a number of offices in his Order with members of the nobility, including General Ivan Lamb who was styled “Grand Conservator.”⁵³ The OSJ, as we will see, views General Lamb as part of its link with the Russian Knights.

Paul was murdered on March 23, 1801 in a plot which, incidentally, involved four of his own Knights. On March 27 Czar Alexander I took the Order under his protection, but had no intention of becoming Grand Master.⁵⁴ On March 28



Paul I was the Czar (Emperor) of Russia in 1796-1801

⁵¹ Quoted in de Sherbowitz-Wetzor and Toumanoff, pp. 38-39. Cf. their fn. 107 which refers to the Russian text.

⁵² Quoted in de Sherbowitz-Wetzor and Toumanoff, p. 16. Cf. also p.15, fn. 23 for references to the Russian text.

⁵³ Cavaliero, p. 242.

⁵⁴ Cavaliero, p. 260.

he issued a document which designated his Imperial Residence as the headquarters of the Order,

until [he said] the time that the circumstances permit giving it a Grand Master according to its statutes and ancient form.⁵⁵

With the same document, Alexander appointed Count Nicholas Saltykov as the Order's Lieutenant or Bailiff. Saltykov sent the Pope a resolution passed by the Russian Council (August 1, 1801) proposing that all the European Pories:

send a list of candidates to the most Holy Father - - that the Supreme Pontiff, who, as head of the Roman Church and superior of all religious orders, would choose one person from the number of candidates proposed by the Pories upon whom the Grand Mastership would be conferred.⁵⁶

This decree also spoke of restoring the Order's ancient Constitution and discipline,⁵⁷ and acknowledged indirectly that Paul's Grand Mastership was illegitimate.⁵⁸

The Imperial Court of St. Petersburg later addressed a letter to foreign representatives which reconfirmed the fact, noting that since the Order of Malta

no longer has a legitimate head, one of the first concerns of its

⁵⁵ Alexander I, "Manifesto of 28 March, 1801," in *Ukazy Gosudaria Imperatora Aleksandra I. i Pravitel'stviushchego Senata*, (Moscow: 1801): " - - jusqu'a ce que les circonstances aient permis de Lui donner un Grand-Maitre selon ses Statuts et ses formes antiques."

⁵⁶ Quoted in Vella, p. 46: " - - album mittere ad Beatissimum Patrem precibus adjectis, ut Summus Pontifex utpote qui Romanæ Ecclesiæ caput est omnium Ordinum Religiosorum superior ex numero illo candidatorum, quos Prioratus exhibuerunt, unum præligat, cui Summum Magisterium conferatur."

⁵⁷ *Livre Blanc de l'Ordre Souverain Militaire et Hospitalier de St. Jean de Jerusalem, Dit de Rhodes, Dit de Malte*, (Rome: 1962), p. 55: " - - ut ad veterem Constitutionem et disciplinam, publico commodo et utilitate cui semper inservaverit, ordo penitus restituatur." This work (also called "The White Book") presents a short (eight-page) argument against groups like the OSJ. Its worth has been superseded by de Sherbowitz-Wetzor and Toumanoff's work. It does, however, reproduce the full texts of some important documents in the Appendices. Unfortunately, they are not in English.

⁵⁸ De Sherbowitz-Wetzor and Toumanoff, p. 61. The text is given ff.

members should be to act together according to the established Statutes, forms and usages to proceed legally to the election of Grand Master.⁵⁹

By resolution on November 17, 1802 the Grand Priory and Council said:

This council decides to resign its functions, and to place the government of the Order back into the hands of the Grand Master. The Sacred Council approves the act drawn up to that effect.⁶⁰

It reaffirmed this act on April 25, 1803 and abdicated in favor of Tommasi, the Grand Master chosen by the Pope, with the words:

The Council, as has been intended from the beginning, abdicates, and the discharge of its duties having been terminated, hands over the authority thus received to the Grand Master.⁶¹

Additionally, Czar Alexander himself sent two letters of congratulation to Tommasi, a fact which clearly shows he recognized the election.⁶²

On March 10, 1810 the properties of the two Russian Priories were confiscated and on February 1, 1817, a resolution of the Russian Committee of Ministers, approved by the Czar, pointed out in passing that the Russian Grand Priory no longer existed in the Russian Empire.⁶³ All other sources

⁵⁹ Quoted in de Sherbowitz-Wetzor and Toumanoff, pp. 62-63 and fn.: “ - - n’a plus de Chef legitime, un des premiers soins des membres qui le composent doit etre de se concerter d’apres les Statuts, les formes et les usages etablis pour proceder l’egalment a l’election d’un Grand-Maitre.” Cf. their fn. 148.

⁶⁰ Quoted in de Sherbowitz-Wetzor and Toumanoff, pp. 73-75 and fn.: “ - - ce Conseil arrete de resigner ses fonctions et de remettre de [sic] Gouvernement de l’Ordre entre les mains du Grand-Maitre. Le Sacre Conseil approuve l’acte redige a cet effet.” Cf. their fn. 175 for the references.

⁶¹ Quoted in de Sherbowitz-Wetzor and Toumanoff, pp. 78-79 and fn.: “ - - Concilium secundum ea, quæ sibi ab initio proposuit, abdicat, et sui temporarii muneris expleta functione, acceptam auctoritatem ad Magnum Magistrum remittit.”

⁶² The full texts of Alexander’s letters to Tomassi are given in *Livre Blanc*, pp. 72-73.

⁶³ *Livre Blanc*, p. 75: “le Prieure Russe de l’Ordre n’existant plus.”

consulted are in agreement on the fact of the suppression.⁶⁴

The suppression of the non-Catholic Grand Priory was entirely within Alexander's competence, since it had been founded by Paul in his capacity as Czar of Russia.⁶⁵ The text of Paul's Decree of Foundation (December 10, 1798) confirms this:

By these presents, *we institute by our imperial authority* a new foundation of the Order of Saint John of Jerusalem [emphasis supplied].⁶⁶

What one emperor can grant to his subjects, another can take away, for such is the nature of autocracy.

On the other hand, the suppression of the Catholic Grand Priory by the Czar was, of course, entirely illegal from the point of view of Canon Law. But the fact that it resigned its functions in favor of the pope's choice for Grand Master cannot be denied – hence, whatever rights and privileges it may have claimed under international or ecclesiastical law, rightly or wrongly, passed to the Grand Master in Italy.

After the suppression of the Order in Russia, the relationship between the Czars and the Order's headquarters in Rome nevertheless remained cordial. With the exception of Alexander II, all received the honorary decoration of Bailiff Grand Cross, including the last Czar, Nicholas II. The extremely thorough study of the question by de Sherbowitz-Wetzor and Toumanoff call this the "last item in the chain of evidence" in contrast to those who promote the "Russian Legend" about supposed "hereditary commanderies."⁶⁷ Fur-

⁶⁴ De Sherbowitz-Wetzor and Toumanoff, p. 127; "A Modern Crusade," p. 29; Ferdinand de Hellwald, *Bibliographie Methodique de l'Ordre Sour. de St. Jean de Jerusalem*, (Rome; Imprimerie Polyglotte de la Propagande, 1885 with supplement added in 1924), p. 107fn; etc.

⁶⁵ De Sherbowitz-Wetzor and Toumanoff, p. 103 (cf. also fn.), and "Modern Crusade," p. 29.

⁶⁶ Quoted in "Modern Crusade," p. 29fn.: "Nous instituons [sic] de Notre Autorite Imperiale, par ces presents, une nouvelle Fondation de l'Ordre de St. Jean de Jerusalem."

⁶⁷ De Sherbowitz-Wetzor and Toumanoff, pp. 120-121. Cf. also the full French text of Nicholas' handwritten letter given *ibid.*

ther, the authors note that the theory of the survival of a “Russian Priory” after the suppression has been effectively refuted not only by the plethora of documents they have presented, but also by an official publication on the Russian Orders published in Saint Petersburg in 1891.⁶⁸ Recent literature put out by the OSJ says it

became and remained an independent sovereign Order under the quiet sponsorship and protection of the Czars.⁶⁹

However, it would be most interesting to see the primary sources which back up this claim – that is, letters, documents, etc. written by its members during the period in which it was alleged to have existed – and not just an occasional reference to comments by outside observers. The full burden of proof, then, rests with the OSJ. Let its apologists produce a host of unassailable primary sources to answer the skeptics and justify its claims, lest we conclude that the history of their organization in Russia after Czar Alexander was “quiet” to the point of non-existence.

5. Historical Notes on the OSJ in America

A brief presentation of some historical notes on the history of the OSJ in the United States will undoubtedly be of great interest to our readers.

In 1890, the OSJ claims that the American Grand Priory was founded in New York City at the Waldorf-Astoria Hotel and William Lamb, a former colonel in the Confederate Army and Mayor of Norfolk, Virginia was elected Grand Prior. Col. Lamb is supposed to have been a direct descendant of General Ivan Lamb, appointed “*conservateur*,” of the Order by Czar Paul I.⁷⁰ (The office of “*conservateur*,” by the way, does not mean that one is a “preserver” of the Order, but rather that one has certain judicial and legal duties in

⁶⁸ De Sherbowitz-Wetzor and Toumanoff, p. 123fn.

⁶⁹ *OSJ Messenger*, (Reading PA; 1981), vol. 36, no. 1, p. 10.

⁷⁰ *OSJ Messenger*, vol. 36, p. 2.

the Order).⁷¹

However, Harrison Smith, whose book is favorable to some claims of the OSJ says only that General Lamb:

was believed to have had a son, and typical of the mystery that surrounds everything Russian, one version is that the name [?] was transferred to Vaskoff.⁷²

It seems that this would introduce a slight note of uncertainty into claims which rely on supposed "hereditary rights," but Smith goes on to say:

Whatever one may say about the technicalities of the transmission of power, the spirit of the Russian order was decidedly published [sic] that it has been revived in America.⁷³

While genealogical research is beyond the scope of our effort here, it would be interesting to investigate the Lamb family tree through the Virginia Historical Society to determine whether or not Col. William Lamb of Norfolk was, in fact, a descendant of the Russian General.

I was unable to find any references to this meeting in the *New York Times Index* for 1890, which seems somewhat curious, considering Col. Lamb's prominence. It is equally puzzling that the *Who Was Who: 1897-1942* makes no reference in his biographical sketch to his association with the "American Grand Priory" or of his supposed election as "Grand Prior."

There is an account in the January 6, 1890 *Times* (p. 1) of a fight between two groups claiming to be the Knights of Malta. It notes that the groups were originally Protestant organizations and that the Commander of one was from New

⁷¹ Cf. the Bull "Inter Illustria Religionis" of Pope Benedict XIV (March 12, 1753), in *Sanctissimi Domini Nostri Benedicti Papæ XIV Bullarium*, (Rome: Typis S.C. de Propaganda Fide, 1753), tom. iii, pp. 85-86.

⁷² Harrison Smith, *Order of Saint John of Jerusalem*, ed. and rev. by Joseph E. Storace (after 1970), p. 64. The "Order of Malta" Mr. Smith seems to have been connected with is apparently associated with the Royal House of Yugoslavia.

⁷³ Smith, p. 64.

York. The *Times* of September 11, 1879 (p. 8) printed an announcement for a meeting of “the Supreme Encampment of America of the Knights of Malta.” Since Mr. Smith gives 1880 as the beginning of the movement in the U.S, further research would be needed to determine whether or not there were any links between Col. Lamb and these two organizations. Smith tells us that on January 10, 1908 Col. Lamb attended a General Chapter of the “Order” in New York to:

“appeal to the descendants of the hereditary members of the Order” for the purpose of establishing the American Grand Priory - - to continue [sic] the legal continuity of the Order⁷⁴

and that membership was open to members of all “recognized Christian denominations.” At this meeting it was decided that the seat of the Order would be transferred to the New World.⁷⁵ Why this action was necessary is not entirely clear, since in other places the OSJ claims it enjoyed the continued favor of the Russian Imperial family.

On May 17, 1912, we are told that the OSJ adopted a new Constitution.⁷⁶ On September 1, 1913, the Grand Duke of Russia, Alexander, (presumably a Russian Orthodox schismatic), was elected “71st Grand Master” of the OSJ.

Grand Duke Alexander had rather radical ideas about religion, to say the least. The *Times* (December 9, 1929) quotes his “spiritual message” as follows:

To call into active life the religion of love, which in time will replace all existing religions, but meantime will spiritualize them and withdraw them from their present condition of gross materialism. To elucidate the true explanation and scientific understanding of all the Christian virtues, and so render complete both science and religion. To spread - - great fundamental truths, which are the same for all faiths and for all nations, and so to build up that universal brotherhood which Christ came into this world to establish. To bring about a conscious union of hu-

⁷⁴ Smith, p. 64.

⁷⁵ *OSJ Messenger*, vol. 36, p. 2.

⁷⁶ *OSJ Messenger*, vol. 36, p. 2.

man souls with the soul of the universe, God, who is the spirit supreme - -

The teachings of the “71st Grand Master” of the OSJ, it seems, make Teilhard de Chardin sound like Thomas Aquinas.

As well, it seems that the Grand Duke Alexander himself did not feel that the Russian Priory had any existence after 1810 and that he recognized that the supreme authority of the Order resided with the Grand Master in Rome. In a letter to Baron Taube, dated at Paris on September 21, 1929, Alexander suggested that the Baron begin negotiations with a view to soliciting the authorization of the Grand Magistracy of the Sovereign Order of Saint John of Jerusalem in Rome for restoring (*reconstituer*) the Russian Branch of said Order.⁷⁷

After this, our narrative becomes a bit murky, but it soon takes a colorful turn in the 1930’s with the appearance of Mr. Charles Louis Thourot Pichel, whose name came to be closely associated with the OSJ. Mr. Pichel, who was baptized a Catholic in 1931 at the age of 41, had already achieved some notoriety due to his interest in heraldry, genealogy and European nobility. In 1929 a series of hearings were held in New York to determine whether he was guilty of a crime in the promotion of an organization called the American Heraldry Association and of a proposed book to be entitled “Who’s Who in Heraldry.”⁷⁸ The hearings were terminated when Mr. Pichel promised that he would discontinue the promotion of the book.

On June 26, 1933, we are told, Mr. Pichel made solemn vows of poverty, chastity and obedience as a “Knight of the

⁷⁷ Quoted in de Sherbowitz-Wetzor and Toumanoff, p. 123fn. The authors give the appropriate references.

⁷⁸ “Heraldry Charges Held in Abeyance,” *New York Times*, October 25, 1929. The article states that “Pichel would not say whether he had ever been convicted of a crime.” It seems that Mr. Pichel was operating out of an office in the Waldorf-Astoria Hotel. (While the Waldorf seems to be a preferred meeting place for those associated with the OSJ, the *Times* article does not contain any references to the organization.)

Sovereign Order of Saint John of Jerusalem” in the Church of the Immaculate Conception in Watervliet, New York, in the presence of the pastor, Father Joseph Paul Chodkiewicz.⁷⁹ It is not recorded whether or not Mr. Pichel made the one-year enclosed novitiate required by canon law for validity (Canon 555), but, in any case, it is clear that, having been a Catholic for only two years, it was impossible for him to fulfill the requirement of Canon 574 which states that all who are admitted to solemn vows must first be in temporary vows for three years. Failure to observe this requirement, incidentally, invalidates religious vows according to Canon 572. One hopes that Mr. Pichel managed to discover this canonical irregularity, since, according to the *1962-63 Who's Who in the East*, he married Mary K. Hart on August 11, 1941.

An equally intriguing canonical puzzle arises at this point when we learn that Mr. Pichel claims to have been “Grand Chancellor” of the OSJ from 1933 forward, for Canon 504 requires that a religious be in vows for at least ten years before he can become a major superior and, undoubtedly, the chancellor’s office in an organization which claims to be both a religious order and a sovereign state would fall into this category. But presumably this canonical requirement too was somehow forgotten.

The Constitution and By-Laws of the “Sovereign Order of Saint John of Jerusalem” (amended 1959-1962)⁸⁰ gave Mr. Pichel an almost complete control of the OSJ as Chief Execu-

⁷⁹ The author has in his possession a photocopy of a document which bears the signatures of Mr. Pichel and the Pastor, together with what appears to be a parish seal. Mr. Pichel pledged “to engage myself in the service of the poor, and the defense of the Catholic Church,” and to “comply with the commands of the Grand-Master of our Order and that I shall pass my life without the possession of any private property.” The Grand Duke Alexander (71st Grand Master) had died on February 26, 1933, and a 1967 publication lists Prince Crolan Edelen de Burgh as 72nd Grand Master. Hence, we can presume that he was Grand Master at the time Mr. Pichel pronounced his vows. (The 1967 publication notes approvingly that Prince Crolan possesses “four lines of descent from Rurik the Viking.”)

⁸⁰ The document is one of the exhibits in *Sovereign Order of Saint John of Jerusalem vs. Pichel*, (Civil No. CV80-0501), United States District Court, Middle District, Pennsylvania. Vid. infra in text.

tive Officer and Secretary-Treasurer. Indeed, one gets the impression that the other offices provided for are largely ceremonial.

The "Sovereign Order of Saint John of Jerusalem" received a gift of 34 acres of land in Shickshinny, Pennsylvania in 1945, according to the Historian of the Diocese of Scranton. It was at that time that the "Shickshinny Convent" was established as "World Headquarters" for the OSJ.

On November 24, 1936, we are told, Kiril I, a claimant to



Grand Duke Kiril (1876-1938),
first cousin of the last Czar
Nicholas II, with his family

the Imperial Throne of Russia, presented Grand Chancellor Pichel with a gold medal and diploma "for defending and helping to perpetuate the noble history of Imperial Russia and the Imperial Families of Russia."⁸¹ Mr. Pichel cites this as one of the proofs for his assertion that the Shickshinny Convent enjoys the "Imperial Sanction" of the descendants of Czar Paul I. It is consoling to be assured that "documents supporting the above facts are in the possession of the Order and preserved

for posterity in underground bomb-proof vaults,"⁸² for one never knows the lengths to which the Soviet Union will go to wreak revenge upon those who enjoy the "Imperial Protection" of the Czars.

On August 29, 1956 the "Sovereign Order of Saint John of Jerusalem" was incorporated in the State of Delaware, and on November 26 of the same year it was registered to do business in the State of Pennsylvania as a Delaware Non-Profit Corporation with its address as RD 2 Shickshinny, the residence of Mr. Pichel.

⁸¹ "Imperial Sanction for the Sovereign Order of Saint John of Jerusalem, etc.," pamphlet, (Shickshinny PA; Maltese Cross Press, 1978-1979), p. 3. N.B, this publication dates from after the legal dispute mentioned *infra* in text.

⁸² "Imperial Sanction for the Sovereign Order, etc.," p. 3.

It seems that the claims made by the OSJ for the historical legitimacy of the organization are not recognized by certain members of the Russian nobility, however. On May 2, 1960, the Secretary General of the Union of Russian Nobility (in exile) and a group which claims to represent descendants of the Russian "Hereditary Commanders" wrote to the head of the Catholic Order in Rome from Paris saying that they

were not affiliated in any way with the organization in the United States which is cunningly disguised and which styles itself the "Sovereign Order of Saint John of Jerusalem, Knights of Malta, Schickshinny 2, Pa., USA" and which falsely pretends to have inherited the rights of the Grand Mastership of Czar Paul I of Russia - -

[We] deplore the existence of this false organization in the United States of America and hope that this deception will soon be exposed.⁸³

One source says that in 1961 the OSJ appointed an Otto Choibert (or Schobert) as its "Observer" to the United Nations.⁸⁴ The Catholic Order in Rome asked the UN for an explanation, and received a reply from the Executive Office of the Secretary General which said in essence:

- 1) Mr. Choibert had never received official recognition from the UN, nor had he received diplomatic status;
- 2) On April 13, 1961, he was informed that he could not use stationery claiming to be a Permanent Observer, Envoy Extraordinary or Minister Plenipotentiary to the UN;

⁸³ The full text is quoted in *Livre Blanc*, p. 76. The original expresses indignation in only the way the French language can: " - - ne sont aucunement affiliés avec l'Organisation aux Etats-Unis d'Amerique qui est habilement camoufflee et qui s'intitule: 'Sovereign Order of Saint John of Jerusalem, Knights of Malta, Shickshinny 2, Pa. U.S.A.,' laquelle faussement pretend avoir herite les droits de la Grand-Maitrise de l'Empereur Paul I. de Russie - - deplorent l'existence de cette fausse organisation aux Etats-Unis d'Amerique et esperent que cette imposture ne tardera pas a etre mise a jour."

⁸⁴ Harry Luke, "An Examination of Certain Claims to be an Order of Saint John," pamphlet, (1965), p. 8. Mr. Luke seems to be connected with yet another "Order of Malta" and rejects some of the claims of the OSJ.

- 3) On August 23, 1961, the name of his organization was deleted from the list of unofficial bodies which receive news bulletins from the UN, and he was asked not to attend meetings organized by the UN information service and surrender his entry card for the UN Building.⁸⁵

In the 1960's, the great age of ecumenism, we begin to learn of how this supposedly Catholic religious Order admitted non-Catholics to its ranks. On January 1, 1962, according to a brochure put out by the Shickshinny Convent, the religious affiliations of the members was put at 42% Roman Catholic, 23% Episcopalian, 21% Orthodox, the rest Lutherans, Presbyterians, Methodists, Baptists and others. The literature cites this as the fruits of the work of an interdenominational "Ecclesiastical Committee" apparently existing before the time this poll was taken.⁸⁶

In any event, we learn that the OSJ became rather closely involved with the "Old Roman Catholic Church," a conglomeration of various sects which has already been discussed at some length in the pages of this publication.⁸⁷ The name of "Archbishop" George Gerard Shelley, Primate of the "Old Roman Catholic Church in North America" appears in OSJ publications in the 1960's. Shelley was "ordained" by Arnold Harris Mathew (an apostate priest who had been personally excommunicated by Pope Saint Pius X) and made a "bishop" by Richard Arthur Marchenna on March 25, 1950.⁸⁸ Shelley

⁸⁵ Luke, p. 8. Mr. Pichel, in his *History of the Sovereign Order of Saint John of Jerusalem*, (Shickshinny PA: Maltese Cross Publishers, 1970 edition), pp. 169-170, gives a rather different account: "The UN presented the Order's delegate with credentials as an observer to witness UN deliberations, but without a vote. This was the first Knight Order [sic] to be thus accepted by the UNO. Insisting that the Order had been a government since ancient times and dissatisfied with such a UN restriction, the Order of Saint John withdrew from this category of UN groups in July, 1961, pending acceptance in a category of governments."

⁸⁶ Pichel, p. 171.

⁸⁷ For a brief treatment, cf.: Rev. Anthony Cekada, "A Warning on the Old Catholics: False Bishops, False Churches," in the *Roman Catholic*, October 1981.

⁸⁸ Peter F. Anson, *Bishops at Large*, (London: Faber, 1964), p. 434 and fn. Anson's book is the most comprehensive treatment of the "Old Catholics" available.

obtained the rank of "Grand Prior for Europe" in the OSJ.⁸⁹ As well, he functioned as Chairman of the OSJ Ecclesiastical Committee at least as late as April of 1969.

It was perhaps under the guidance of Shelley that the OSJ produced a brochure entitled "An Account of the Old Roman Catholic Church" in 1964 in which we learn that

in a long program designed for the unity of all the Christian Churches, the Sovereign Order of Saint John of Jerusalem recognizes and accepts both the Old Roman Catholic Church and the papal Roman Catholic Church as one and the same Universal Church.⁹⁰

As well, the brochure speaks of the "silent appeal" of the "Old Roman Catholic Church" and says it

may be due to the absence of all those objectionable practices and non-scriptural innovations of the papal Church so much frowned upon by discriminating Catholics and non-Catholics alike.⁹¹

In a brochure reprinted by the *New York Journal-American* in 1959, we learn that Shelley's ORCC opposes the Dogma of Papal Infallibility. Perhaps this was one of the "non-scriptural innovations" frowned upon by "discriminating Catholics" at Shickshinny.

On May 3, 1964 an organization called the "Athenian Order" issued a statement which supported the contention of the OSJ that it enjoys historical continuity with the Russian Priory.⁹² The Athenian Order was founded by an English Old Catholic "bishop," Charles Brearly, who claimed to have been honored "by many European and American Universities," to which historian Peter Anson adds, "though appa-

⁸⁹ Anson, p. 437.

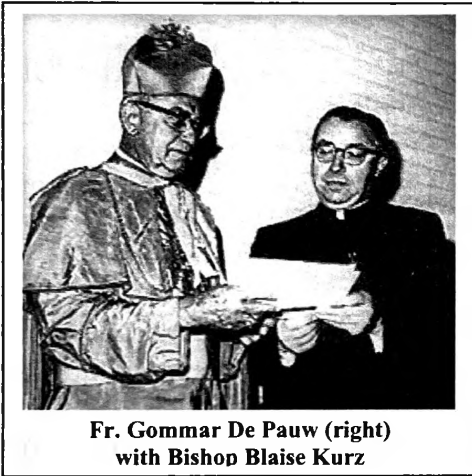
⁹⁰ "An Account of the Old Roman Catholic Church," pamphlet, (Shickshinny PA: Crux News Service, 1964), p. 6.

⁹¹ "An Account of the Old Roman Catholic Church", p. 6.

⁹² Athenian Order, pamphlet, "Historical Continuity and Validity of the Sovereign Order of Saint John of Jerusalem, Knights of Malta," (Shickshinny PA: Crux News Service, 1964), unpaginated.

rently not by any one of the twenty one degree-giving seats of learning in Great Britain.”⁹³ We note that, while Brearly’s Athenian Order supported the claims of the OSJ, Brearly himself claimed that Holy Scripture supported his practice of “ordaining” women to the episcopacy, priesthood and diaconate.”⁹⁴

In any case, after the Second Vatican Council many Catholics were profoundly disturbed by the changes and looked for a means to resist. To some, the claims of the OSJ to “canonical exemption” as a “Catholic religious order” seemed like the ideal solution.



**Fr. Gommar De Pauw (right)
with Bishop Blaise Kurz**

In the mid-1960’s, the head of the Catholic Traditionalist Movement (CTM) in Westbury, New York, Father Gommar De Pauw, became involved with the OSJ. In a telegram to Mr. Pichel dated June 23, 1968, Father De Pauw (a Doctor of Canon Law and former seminary professor) said that:

I have today informed His Holiness Pope Paul VI that, in virtue of the perpetual privileges granted by his predecessors to the Sovereign Order, we have today offered the first public traditional Latin Mass in the Ave Maria Chapel of the Greater New York Priory located in the Catholic Traditionalist Center in Westbury - - The red and white flag of our Order once again waves in American skies.

Father De Pauw signed himself as “Knight-Commander of Justice, Prior, Chaplain.” OSJ literature published in 1968 noted that Father De Pauw was “Coordinator and Dean of

⁹³ Anson, p. 387.

⁹⁴ Anson, p. 383.

the Roman Catholic Section” of the OSJ’s “Ecclesiastical Tribunal” and that the Westbury Chapel was the “Roman Catholic Church of the Order for the Official Investiture of Knights in the Greater New York Priory.” (The Coordinator of the “Old Roman Catholic Section of the Ecclesiastical Tribunal” was listed as “The Rev. Dr. Gerard G. Shelley.”) Other OSJ literature published that same year notes that

From the very beginning, all the speeches and writings of the Rev. Dr. Gommar A. De Pauw established his eagerness and true feeling of the spirit of sane Ecumenism as opposed to insane ecumania in the following words: “The time is overdue when Traditionalist Roman Catholics and conservative Protestants join hands and forces to save whatever is left of Christianity.”

Father De Pauw later left the OSJ, and continued to celebrate the traditional Mass for the CTM.

In an attempt to draw traditionally-minded Catholics into their organization, the OSJ published a brochure containing a program of action, approved by its “Supreme Council for the Roman Catholic Section of Ecclesiastical Tribunal” on June 2, 1969.⁹⁵ Among other things, they claim that since 1814 several popes have been blackmailed and controlled by the Jesuits and that the OSJ will “carry on the traditional authority of the Roman Catholic Church as a most sacred duty but only as a temporary Trust.”⁹⁶

In the 1960’s, one who wished to apply for Knighthood in the OSJ was obliged to: (1) Be a practicing Christian and provide the name of his church and pastor; (2) Provide a biography if he wasn’t listed in *Who’s Who*; (3) Submit a passport photo for his ID card; (4) Study, sign and return a one-page Copy of his “Vows of a Knight”; (5) Submit any evidence of family nobility; and (6) Send in \$25 each year. Additional voluntary contributions were welcomed “in order to support the government and program of the Order, inclu-

⁹⁵ “Knights to the Rescue of Christendom,” pamphlet, (Shickshinny PA: Maltese Cross Press, 1969), p. 7.

⁹⁶ “Knights to the Rescue of Christendom”, p. 7.

ding the acquisition of sovereign territory.” The “Vows of a Knight” could be taken at the altar of the applicant’s church, at the Convent of the Order, or in the presence of a Knight or chaplain who would act as witness.

I am sure most readers will agree that the above-mentioned requirements for Knighthood were hardly stringent, since no mention is made of service in the Czar’s army or citizenship in the Russian Empire, nor of possessing the Catholic Faith and nobility of sixteen quarterings. The privileges of Knighthood, it seems, were well within the reach of the common man – Catholic, Protestant, Orthodox, or “Old Roman Catholic.”

A number of OSJ “Priories” were founded throughout the United States at this time, some of which continue in operation today. Some traditional Catholics have been drawn to them since priests designated as “Chaplains” offer the traditional Latin Mass and confer the sacraments.

In the late 1960’s and early 70’s, a considerable controversy arose among traditional Catholics regarding the claims of the “Sovereign Order of Saint John of Jerusalem.” Many documents and letters circulated, and it seems that a fair number of members left. Among the allegations made were that it was Masonic, ecumenical, canonically and historically illegitimate, quasi-schismatic, heretical, etc. However, it would be impossible for us here to discuss all the different charges and countercharges of that period. Interested readers are urged to conduct their own investigation.⁹⁷

In 1976, Roberto Paterno Castello di Carcaci Ayerbe-

⁹⁷ Father Lawrence S. Brey of St. Cloud MN wrote two pamphlets around 1973 entitled “Operation Nightmare”. Dr. Julio Pro of 9811 Rathburn Avenue, Northridge CA published a pamphlet around the same time with the truly memorable title “Knights and Daze.” Dr. Pro claimed that there was a Masonic overtone to the OSJ, prompting Father Wathen to write the pamphlet cited in fn. 1. Mr. J. Bruce Howell of Rt. 1, Stillman Valley IL (a former member of the OSJ) diffused a great number of documents challenging the claims of the OSJ. Dr. Hugo Maria Kellner of 9 Iroquois Road, Caledonia NY produced a great number of letters on the OSJ. He conducted an investigation of some of the academic credentials Mr. Pichel claimed to possess. It seems that the controversy died down around the mid-1970’s.

Aragon was elected “73rd Grand Master” of the OSJ,⁹⁸ but soon the history of the organization took yet another stormy turn.

In late 1976 or early ‘77 Mr. Pichel, then in his late eighties, was involved in an auto accident which caused a number of physical problems. He spent some time in nursing homes and hospitals, where, as he later said, he was considered a “terminal case.” On February 28, 1977 he signed a letter (a copy of which is in court records) announcing his retirement as active Grand Chancellor to become Grand Chancellor Emeritus and a life member of the Supreme Council of the OSJ, and announced that Thorbjorn Wiklund and Frank Capell would be the two Grand Priors to take over all the duties, responsibilities and authority formerly vested in the Grand Chancellor.⁹⁹ (Mr. Capell of New Jersey, now deceased, was a Contributing Editor for the Birch Society publication *Review of the News*.)

On March 1, 1977, Messrs. Pichel, Wiklund, Blazes, Atterbom, and Capell signed an “Agreement” which specified how the various duties would be carried out under the new arrangement, and guaranteed a \$5,000 annual pension for Mr. Pichel.¹⁰⁰

Court documents indicate that Mr. Pichel attempted to repudiate the “Agreement.” Later in 1977, in an October 26 letter to Mr. Capell, he claims that his signature was “obtained with misrepresentation, deceit and false charges. This was done with undue pressure upon a man who at that time was declared a ‘helpless terminal case’ with but a short time to live.” He termed the meeting “illegal,” and told Mr. Capell: “I was illegally detained from my home by you and your assistants while the house was thoroughly ‘cleaned’ of all my possessions, both those of the Order and my personal effects, etc.”¹⁰¹

On November 6, 1977 the registered address of the “Sove-

⁹⁸ *OSJ Messenger*, (Reading PA: 1980), vol. 35, p. 3.

⁹⁹ *Sovereign Order vs. Pichel*, Plaintiff's Exhibit 3.

¹⁰⁰ *Sovereign Order vs. Pichel*, Plaintiff's Exhibit 1.

¹⁰¹ *Sovereign Order vs. Pichel*, Plaintiff's Exhibit 6.

reign Order of Saint John of Jerusalem” was changed from the Shickshinny address to “Church Lane, RD 3, Reading, Pennsylvania.”

Again according to court documents, on November 29, 1977, Mr. Pichel signed an “Official Expulsion of Thorbjorn Wiklund, Per-Axel A. Atterbom and Prince Roberto Paterno de Aragon,” alleging various reasons, including “associating themselves in a conspiracy to depose and discredit the Grand Chancellor of the Order.”¹⁰² Another document in the record (dated September 15, 1979) was written in a similar vein.¹⁰³

In 1979 Mr. Pichel produced a brochure which seemed to broaden the powers of the Ecclesiastical Tribunal already mentioned. It is referred to as the “Supreme Ecclesiastical Tribunal of Christendom,” and we are informed that it is a “permanent ecumenical body” which can render final judgment on faith, morals, liturgy, etc. relating to any religious denomination – Catholic, Lutheran, Orthodox, “Old Roman Catholic” – which is a member.¹⁰⁴ (The literature states that the identity of the “prelates” who make up this permanent ecumenical tribunal is kept secret as a “protective measure.”) Apparently not even the powers of this Tribunal, however, were able to bring Mr. Cappell and his supporters back into line with Mr. Pichel’s thinking.

Members who supported Mr. Pichel’s position met in Shickshinny on January 26, 1980 and issued a statement to that effect.¹⁰⁵ “Old Roman Catholic” Bishop Richard A. Marchenna, a fixture of the “Old Catholic” scene in the United States for many years, and Father Peter Rofrano, a priest of the Pallotine Order from New York City, were listed as being among Mr. Pichel’s supporters.

It seems this was all a bit too much for Mr. Cappell and his supporters. They instituted legal proceedings against

¹⁰² *Sovereign Order vs. Pichel*, Exhibit E.

¹⁰³ Cf. *Sovereign Order vs. Pichel*, Plaintiff’s Exhibit 10.

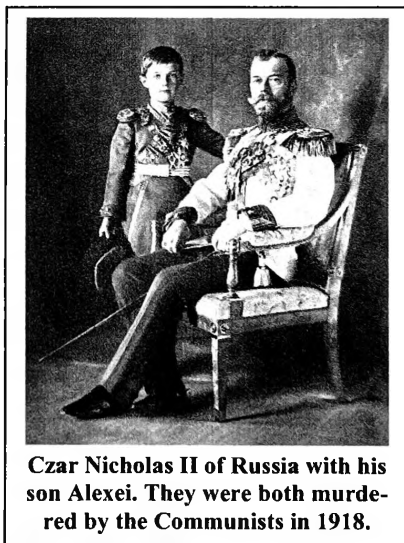
¹⁰⁴ “Ecclesiastical Tribunal of Christendom,” pamphlet, (Shickshinny PA: Maltese Cross Press, 1979). Mr. Messineo recently dismissed the pamphlet as “fictional literature.”

¹⁰⁵ *Sovereign Order vs. Pichel*, Exhibit K.

Mr. Pichel in U.S. District Court (Middle District of Pennsylvania, *Sovereign Order of St. John of Jerusalem et al. vs. Pichel*, Civil No. CV 80-0501.), and, on May 29, 1980 obtained a Preliminary Injunction against Mr. Pichel. Mr. Pichel, his agents, etc. were restrained until the Court settled the matter:

- a) From using and infringing on the Plaintiffs' collective membership mark "Sovereign Order of St. John of Jerusalem – Knights of Malta"
- b) From representing himself as an authorized officer, representative and spokesman for the Plaintiffs;
- c) From circulating, mailing and otherwise distributing material and correspondence wherein the words Sovereign Order of St. John of Jerusalem are utilized;
- d) From soliciting or receiving funds or contributions;
- e) From conferring or issuing diplomas, certificates of membership or other indicia of membership in the Plaintiffs' organization.

On October 18, 1980 Mr. Capell died. Shortly thereafter a publication of the Reading Priory announced that Salvatore T. Messineo had been elected "Grand Prior of America and the rest of the world excepting Europe and the British Commonwealth."¹⁰⁶ In later correspondence, Mr. Messineo uses the title of "Lieutenant Grand Master" and makes his headquarters in Reading. On March 25, 1981, Mr. Messineo and his supporters signed a "Joint Proclamation" with Mr. Aleksei Nikolaevich Romanoff proclaiming him "Imperial Protector" of



¹⁰⁶ *OSJ Messenger*, vol. 34, p. 1.

the OSJ.¹⁰⁷ Mr. Romanoff claims to be the son of Czar Nicholas II, and OSJ literature assures us that “confidential records of the CIA would confirm this if made public.”¹⁰⁸ (The implication seemed to be that the CIA was not talking.)

Mr. Romanoff, in turn, proclaimed the supporters of Mr. Messineo to be “the only legitimate descendant of the Order of Malta and the Grand Priory of Russia.” The document styles Mr. Romanoff

the Heir to the All-Russian Imperial Throne, Tsarevich and Grand Duke of All Russia, the August Ataman and Head of the Russian Imperial House of Romanoff,

and notes that Mr. Romanoff was

also known under a security cover-identity in exile and underground in Poland as “Michael M. Goliniewski,” and under a fictitious cover name in the United States since 1961 as “F.R. Oldenburg.”¹⁰⁹

A brochure produced by Mr. Messineo’s group states that Mr. Romanoff became “Imperial Protector” in 1952.¹¹⁰ However, we note that four pages after having asserted this, the same booklet claims that Mr. Romanoff was working in Gdansk, Poland during this same year as Chief of Polish counterintelligence and as sort of a deep penetration spy for the West.¹¹¹ (Presumably the fact that he was “Imperial Protector” of the “Sovereign Order of Saint John of Jerusalem” was well hidden indeed from the Communists.)

On December 28, 1981, the Court reached a final decision in the matter of *Sovereign Order of Saint John of Jerusalem*

¹⁰⁷ *OSJ Messenger*, vol. 36, no. 1, pp. 12-13.

¹⁰⁸ *OSJ Messenger*, vol. 36, no. 1, p. 14. On October 31-November 1, 1981, the Russian Orthodox Church Outside of Russia canonized Czar Nicholas II, his wife, and his five children. Since the ceremony was held in New York (where Mr. Romanoff apparently resides) this would have offered him the unique distinction of being able to assist at his own canonization.

¹⁰⁹ *OSJ Messenger*, vol. 36, no. 1, p. 13.

¹¹⁰ *OSJ Messenger*, vol. 36, no. 1, p. 10.

¹¹¹ *OSJ Messenger*, vol. 36, no. 1, p. 14.

et al. vs. Pichel. The defendant, Mr. Pichel, was “permanently enjoined and restrained from engaging in the conduct as delineated in that order of May 29, 1980.” The plaintiff’s demand for payment of fees was denied, and both sides were ordered to pay their own costs. Thus drew to a close yet another exciting chapter in the history of the “Sovereign Order of St. John of Jerusalem – Knights of Malta, Russia and America.”

6. The OSJ and Canon Law

It will be useful to mention some of the arguments which can be made against the claims of the OSJ as regards Canon Law.

First, the OSJ claims that it is “a religious lay Order of the Catholic Church and a theocratic state - - It is Catholic because it was founded by Catholics and derives all its theological [sic] privileges from the Roman Pontiff.”¹¹²

Religious orders enjoy no “theological privileges” (whatever that may mean) under canon law, only certain privileges of exemption. As well, it is difficult, if not impossible, to see how the OSJ could be considered a “religious lay Order of the Catholic Church,” considering the massive non-recognition it has received from Church authorities.

If, as the OSJ claims, a branch of the Knights of Malta did indeed exist in Russia after the suppression, it certainly was not recognized as an “order of the Catholic Church” by the popes. Leo XIII mentioned nothing about it in *Solemne Semper*, nor did the commission of cardinals appointed by Pius XII to reexamine the status of the SMOSJ allude to any “Russian branch” in the United States.

Nor even has the “Sovereign Order of Saint John of Jerusalem” been recognized by the post-Conciliar Church in this great age of ecumenism. We reprint below an article from the Vatican newspaper, *L'Osservatore Romano*:

Enquiries have been received from various parties asking for fur-

¹¹² *OSJ Messenger*, vol. 36, no. 1, p. 21.

ther information regarding the "Sovereign Order of St. John of Jerusalem" and in particular how the Holy See looks on this Order.

We are authorized to repeat the clarifications previously published in our newspaper in this regard. The Holy See, in addition to its own Equestrian Orders, recognizes only two Orders of Knighthood: The Sovereign Military Order of Saint John of Jerusalem, called the Order of Malta and the Equestrian Order of the Holy Sepulchre in Jerusalem.

No other Order, whether it be newly instituted or derived from a medieval Order having the same name, enjoys such recognition, as the Holy See is not in a position to guarantee its historical and juridical legitimacy. This is also the case with regard to the above-mentioned "Sovereign Order of Saint John of Jerusalem" which assumes, in an almost identical form and in such a way as to cause ambiguity, the name of the Sovereign Military Order of Saint John of Jerusalem, more commonly known as the Sovereign Military Order of Malta.¹¹³

Second, in an article entitled "The Order of St. John in International Law," Chevalier William von Peters, OSJ, claims that the Order in Jerusalem:

had also, by 1200, become an autonomous Order in the Church, answerable to no one except the Pope; and then only in matters of Faith and Morals.¹¹⁴

The implication in his statement is that the pope had no power to legislate in matters concerning the conduct of the affairs of the Order, or that it was somehow "exempt" from everything but infallible papal teaching. (This seems, as well, to be the underlying theme of OSJ literature which treats of the acts of Pius VI and Pius VII regarding the Order in Russia.) Their claim that they were "autonomous," in the sense in which they imply, is without foundation.

¹¹³ "Clarification," *L'Osservatore Romano*, English edition, December 9, 1976, p. 12.

¹¹⁴ *OSJ Messenger*, vol. 36, no. 1, p. 73.

Even a random glance at papal documents which bestowed privileges upon the SMOSJ before the Russian crisis make it clear that the pope is the “Supreme Legislator” for the Order. Pope Anastasius IV, for instance, in *Christianæ Fidei Religio*, confirms the privileges of the Order in Jerusalem, and enunciates his right to invoke his authority with regard to the affairs of the Order. For example, after granting immunity to the Order regarding its possessions, he adds, however,

preserving the authority of the Apostolic See and the canonical justice of the diocesan bishop.¹¹⁵

Again, for example, the Apostolic Letter *Inter Illustria Religionis* makes it abundantly clear that Benedict XIV, as pope, is acting as the “Supreme Legislator” for the Order by ratifying the acts of the Supreme Council of the Order, granting faculties to erect commanderies, revoking the alienation of the possessions of the Order without the consent of the Grand Master and Council, prohibiting commendatory livings, granting faculties to appoint judges, and derogating contrary pronouncements.¹¹⁶

The conduct of the popes with regard to the Russian crisis was entirely consonant with previously stated policy. The letter of March 16, 1799, written at the command of Pope Pius VI to the Nuncio in St. Petersburg notes that:



¹¹⁵ Pope Anastasius IV, “*Christianæ Fidei Religio*,” (October 21, 1154), in *Bullarum Privilegiorum ac Diplomatum Romanorum Pontificum Amplissima Collectio*, (Rome: Typis S. Michaelis ad Ripam, 1739), tom. i, p. 347: “- - salva Sedis Apostolicæ auctoritate & Diecesani [sic] Episcopi canonica iustitia.”

¹¹⁶ Cf. fn. 71 *supra*. Pp. 74-87.

I cannot hide from your Most Reverend Excellency that the mind of His Holiness is very troubled by the announcement of these events, seeing trodden underfoot in a moment so many Apostolic Constitutions which reserve to the Holy See exclusively the right to judge the person of the Grand Master, and the Constitutions of the Order which fix the precise and unchangeable rules for his election and which only the pope can derogate.¹¹⁷

The *Pro-Memoria* which accompanied the letter states that:

His Holiness finds himself in the precise obligation to recall to the memory of the members who compose [the Russian Grand Priory] that they have strayed from the Constitutions of the Order and from submission to the decrees of the Holy See to which they are bound by the duty of their institution, both by deposing the Grand Master Hompesch from his dignity and by proclaiming His Imperial Majesty to be Grand Master.¹¹⁸

Additionally, the document refers to the Pope as “Supreme Head of the Order [chef supreme de l’ordre, c’est-à-dire, Sa Sainteté].”¹¹⁹

Further, as we have demonstrated in section four above, the Council of the Order in Russia explicitly acknowledged the pope as its superior in legislative matters, and abdicated any powers it claimed to possess in favor of the Grand Master whom the pope had chosen.

Canon law also lays down that the pope is the “Supreme Legislator” for religious orders. In a commentary on Canon 499, we read:

¹¹⁷ Quoted in de Pierredon, vol. ii, p. 38t: “Je ne peux dissimuler a V. Exc. Rme. que l’esprit de S. Ste. a ete tres trouble par l’annonce de ces evenements, voyant foulee aux pieds, en un instant, tant les constitutions apostoliques qui reservent au St. Siege exclusivement le droit de juger de la personne du G.M., que les constitutions de l’Ordre qui fixent les regles precises et invariables pour l’election de celui-ci et auxquelles le pape seul peut deroger.”

¹¹⁸ Quoted in de Pierredon, vol. ii, p. 386: “ - Sa Saintete se trouve dans l’obligation precise de faire rappeler ala memoire des membres qui le composent combien ils sont devie des constitutions de l’Ordre et de la soumission aux decrets du S. Siege a laquelle ils sont tenus par le devoir de leur institution, tant pour deposer de sa dignite le Grand-Maitre Hompesch, que pour proclamer Grand-Maitre S.M. Imperiale.”

¹¹⁹ De Pierredon, vol. ii, p. 387.

papal ordinances and laws, as far as they touch religious, either in general, as members of the Catholic Church and as a body, or in particular as single bodies, orders or congregations, must be complied with by all without exception. And this obedience must be offered to any and every legally elected pope, no matter what his personal qualities may be.¹²⁰

In light of the foregoing, the claim that the Order was “autonomous” and subject to the pope “only in matters of Faith and Morals” is utterly untenable.

Third, the claim that descendants of “hereditary commanders” can somehow create new members of a Catholic religious order is indefensible. Moralists define a religious order as

a religious association of men or women bound to the observance of definite rules approved by the Holy See in community life and to the perpetual and solemn vows of poverty, chastity and obedience.¹²¹

Further, they define a religious as:

one who freely undertakes, over and above the commandments common to all the faithful, the observation of the evangelical counsels through the vows of poverty, chastity and obedience.¹²²

It is plain that, since a person becomes a religious only by making a free and explicit profession of vows according to the norms of canon law, no one can become a member of a religious order through “heredity” – for with “heredity” there is no choice involved, and the required consent of the will is lacking. Additionally, it should be self-evident that membership in a religious order cannot be passed on “from father to son” since one of the religious vows is chastity.

¹²⁰ Charles Augustine, O.S.B, D.D., *A Commentary on the Code of Canon Law*, (St. Louis MO, B. Herder, 1919), 2nd edition, vol. iii, p. 96.

¹²¹ Mgr. Pietro Palazzini, editor, *Dictionary of Moral Theology*, (Westminster MD: Newman Press, 1962), p. 861.

¹²² Palazzini, p. 1032.

That being the case, even if “hereditary commanders” had existed, they certainly could not be considered to have been religious – thus, they would not have had the power to “create” other religious, because they would not have been qualified to receive vows as superiors. In Canon 572 we read that

For the validity of any religious profession, it is required that - -

That the legitimate superior admit [the person who is to be professed] according to the constitutions - -

That [the profession] be received by a legitimate superior or by another according to the constitutions.

Fourth, from a canonical standpoint, it is abundantly clear that the “election” of Czar Paul as “Grand Master” was invalid. The reasons may be summarized as follows:

- 1) It was contrary to the instructions of the Pope [as shown above].
- 2) The Czar was a schismatic, and hence could not be the head of a Catholic religious order.
- 3) The Czar was not a full member of the Order, only an honorary member, and hence was prohibited under canon law from becoming its Grand Master.
- 4) The Czar was a married man, and hence could not take religious vows of poverty, chastity and obedience which form the essence of religious knight-hood.¹²³

The invalidity of his election has certain effects in both canon law and civil law, since the Grand Master of the Order was both a religious superior and head of a sovereign state, i.e.: (a) any legislation Czar Paul promulgated in what he believed was his capacity as head of a Catholic religious order was null and void of any canonical effect; and (b) any legislation he promulgated in what he believed was his

¹²³ The summary is based on Vella, pp. 35-36.

capacity as head of the Order of Malta as a sovereign state was devoid of any effect as regards the civil law – in other words he was not a legitimate legislator because he was not head of the Order.

In light of all the foregoing, I can only conclude that the various claims put forth by apologists for the “legitimacy” of the OSJ cannot be taken seriously – and any resemblance between it and the Order recognized as legitimate by the Church is superficial and markedly strained.

7. The OSJ as an Ecumenical Organization

Even after a presentation of the historical and canonical evidence for rejecting the claims of the OSJ, there remains one insurmountable objection to it – it is today, and always has been, openly ecumenical by its own admission.

Recently, I came across a letter written in February, 1981 by a priest of the OSJ who is associated with Mr. Messineo’s Priory in Reading, Pennsylvania. He said he was sure that the OSJ was now removing the semblance of false ecumenism and religious indifferentism. It seems, however, that nothing could be further from the truth.

A brief glance at recent volumes of the *OSJ Messenger* from Reading demonstrate this:

The Order of Saint John of Jerusalem encompasses within its membership both Eastern and Western Rite Catholics and Protestants whose sincere Christian Faith and good works are outward signs of unity within Christ’s Mystical Body.¹²⁴

The Order, following papal advice of not having conversion by the sword, sought again by the highest Christian virtue, namely charity, to establish a non-catholic section (1800’s).¹²⁵

¹²⁴ *OSJ Messenger*, vol. 36, no. 1, p. 6.

¹²⁵ *OSJ Messenger*, vol. 36, no. 1, p. 23. In fact, Czar Paul, a Russian Orthodox schismatic, founded the “non-Catholic section.” It will be noted that the OSJ does not seem to follow the “papal advice” contained in the Pro-Memoria of March 16, 1799.

With great justification, the Order's practice of Christian charity seems to have been the wiser path. The wisdom of maintaining Christian unity has blossomed in the practical reunification of the Old Roman Catholic Church for which the Order had maintained a section.¹²⁶

Prelates of the Order of Saint John are requested to meet during the Spring or Summer of 1981 in order to establish methods of cooperation for the benefit of the sick and the suffering and for the *Propagation of the Faith*. Validly consecrated Eastern and Western Rite prelates, as well as prelates of the Protestant denominations should contact the American Grand Priory - - [emphasis supplied]¹²⁷

[Photo caption]: The Right Reverend Rainer Laufers, O.S.J., Archbishop of the Old Holy Catholic Church of Canada is invested by the Lieutenant Prince Grand Master, H.E. Count Eric de Lewenhaupt, O.S.J. in the Church of Saint John the Baptist in Louisville, Kentucky.¹²⁸

While the difficulties presented by the foregoing quotes will be readily apparent to some traditional Catholics, it will be helpful to present a few pertinent citations from the Church's teachings.

First, regarding the assertion that the "sincere Christian Faith and good works" of non-Catholics in the OSJ are outward signs of "unity" within the Church and regarding the

¹²⁶ *OSJ Messenger*, vol. 36, no. 1. In his text ff., the anonymous author appears to quote a document in which it is claimed that the "moral act of restoring papal care to Ultrajectine [also called 'OM'] Roman Catholics is *ipso facto* accomplished." He states that this document was "promulgated under the authority of the Apostolic See on Nov. 7, 1966 by the Archbishop of Utrecht." I was unable to find this document in the *Acta Apostolicæ Sedis* (the official digest of Vatican documents), since, of course, the author provided no references. The author also appears to claim that the OSJ had some sort of role in this alleged reunification. How, of course, we are not told, nor do we ever learn in what this "moral act of restoring papal care" consists.

¹²⁷ *OSJ Messenger*, vol. 35, p. 2.

¹²⁸ *OSJ Messenger*, vol. 35, p. 2. Two clergymen are in the background, one vested as a priest and the other as a deacon. One wonders if they are among the priests who offer the traditional Mass for the OSJ in various cities throughout the U.S.

implication that the OSJ somehow managed to maintain “the unity of the Church” admitting non-Catholics, we note that the Church already possesses the mark of unity – and that non-Catholics are not part of that unity because they do not have the Faith. Pius XI teaches in *Mortalium Animos*:

What has just been said presents Us with the opportunity to discuss and refute a certain false belief upon which the whole question under discussion seems to rest, and from which, too, proceeds the widespread efforts of certain non-Catholics looking toward a reunion of Christian churches. The proponents of this plan never tire of repeating the words of Christ: “That ye all may be one - - There shall be one fold and one shepherd.” (John 17:21; 10:16) However, they wish those words to be interpreted in the sense that they represent a desire and prayer of Christ which has not yet been realized. Thus, they contend that the unity of the Faith and of government of the Church, which are distinctive marks of the one true Church of Christ, have not always existed and do not, as a matter of fact exist today.¹²⁹

As well, the Holy Office, in response to a series of questions from 198 Anglican clergymen during the last century laid down the following principle regarding the unity of the Church:

1. The unity of the Church is absolute and indivisible and the Church never lost her unity, not, for so much as a second in time, ever can. There is, therefore, both *de jure* and *de facto*, only one Church; one by a numerical and exclusive unity¹³⁰

Second, as regards the OSJ’s appeal to “charity” to justify its practice of admitting non-Catholics, we recall the words of Pius XI regarding similar activities by the “Pan-Christians” – the ecumenists of his day:

But the question immediately arises: How is it possible for charity to be aligned against faith? For everyone knows that St.

¹²⁹ Pope Pius XI, Encyclical “*Mortalium Animos*,” (January 6, 1928), in *The Official Catholic Year-Book*, (New York: P.J. Kenedy and Sons, 1928), trans. by Rt. Rev. Msgr. James H. Ryan, pp. 74-75.

¹³⁰ Reply of the Holy Office, November 8, 1865.

John, the Apostle of Love, he who in the Gospels seems to open to us the very secrets of the Most Sacred Heart of Jesus and who, at every opportunity, preached to his disciples the new commandment "Love ye one another," forbade his followers to have any relations whatsoever with those who did not profess, entire and without error, the teachings of Christ. "If any man cometh to you and bring not this doctrine, receive him not into the house nor say to him, God speed you." (2 John 10) Since, therefore, charity must be built upon a whole and secure faith, as upon its foundation, it is above all necessary that the disciples of Christ be united above all else in the bond of the unity of the faith - - How is it possible to bring together in one and the same society all those who profess such different opinions?¹³¹

Third, since the OSJ sponsors meetings of Catholics and non-Catholics for "the Propagation of the Faith", we would do well to recall the teaching of Pius X on "interconfessional associations" in *Singulari Quadam*:

Concerning those associations which directly or indirectly touch upon the cause of religion or morals, it would be to perform a work which could never be approved if one should seek to foster and to propagate mixed associations, that is, composed of Catholics and non-Catholics alike - - In fact, to limit ourselves on this point, it is incontestable that associations of this kind endanger, or certainly can endanger, the integrity of the Faith of our faithful Catholics and the faithful observance of the laws of the Catholic Church.¹³²

In light of the foregoing it seems astounding that traditional Catholics who have, presumably, rejected the false ecumenism promoted by the Second Vatican Council, should have anything to do with the OSJ.

8. Summary and Conclusions

A brief summary of what has been said above is in order, together with a practical conclusion. First, we have offered

¹³¹ "Mortalium Animos," pp. 76-77.

¹³² Pope Saint Pius X, Encyclical "Singulari Quadam," (September 24, 1912).

a brief overview of the history of the Sovereign Military Order of Saint John of Jerusalem.

Second, we have examined in some detail the attempt to install the schismatic Czar Paul as head of the Order, an act which was contrary to both the constitutions of the Order and the express wishes of the reigning pontiff.

Third, we have provided a brief account of the history of the Sovereign Military Order from the Russian crisis to the present day.

Fourth, we have examined two of the claims upon which the OSJ attempts to argue for their “historical legitimacy” – the supposed existence of “hereditary commanders” and the alleged existence of the Knights in Russia after the suppression by Czar Alexander.

In the former case, we have presented evidence which indicates that the term “hereditary commander” did not exist in Russian legal terminology, and have shown that the “rights of patronage” which did exist were limited to citizens of the Russian Empire who met certain strict conditions.

In the latter case, we have shown that the Knights in Russia resigned any rights they claimed to possess in favor of the Grand Master chosen by the pope, and that Czar Alexander suppressed the Order in the Russian Empire. Further, we have noted that there seems to be a lack of primary historical sources to back up the contention of the OSJ that the Knights enjoyed any existence in Russia after the suppression. As well, we have seen that the Czars continued to have cordial relations with the Order in Rome.

Fifth, we have presented some historical notes on the history of the OSJ in America. We have pointed out certain difficulties regarding the mysterious Col. Lamb. We have noted some of the bizarre religious teachings of the Grand Duke Alexander, the 71st “Grand Master” of the OSJ, and presented evidence which shows that he himself believed that the authorization of Rome was needed for “reconstituting” the Russian branch of the Order.

Further, we have demonstrated that the OSJ has had close ties with the “Old Roman Catholic” sects, and that it

was and continues to be an ecumenical organization by its own admission. We have also catalogued some of the controversies which arose over the OSJ among traditional Catholics after the Second Vatican Council.

Sixth, we have presented some arguments against the various canonical claims of the OSJ. We have seen that the OSJ in America has enjoyed massive non-recognition from Rome of its supposed canonical status, and have shown that its claim that the Knights of Malta enjoyed some sort of “autonomous” status as regards the legislative authority of the pope is untenable. We have demonstrated that membership in a Catholic religious order cannot be passed on by “heredity” and that the election of Czar Paul as “Grand Master” was invalid.

Seventh, we have briefly discussed some recent passages from the “OSJ Messenger” concerning ecumenism and religious association with non-Catholics, and dealt with them by citing a few pertinent passages from Catholic teaching.

I am now obliged to answer the question which occasioned this essay: “Should traditional Catholics assist at Masses offered by priests of the OSJ or associate themselves with the organization?” As a traditional Catholic priest, my answer is an unqualified “No.”

Why? It is ecumenical, and to join an ecumenical organization is, in the words of Pius XI, tantamount to abandoning the religion revealed by God. For a Catholic, I believe it would be akin to joining the World Council of Churches, if it were possible for an individual – a grave sin, an affront to the true Catholic Faith and at least proximate to heresy.

Furthermore, it seems that the facts are so clear that any Catholic, once having been exposed to them, can no longer claim invincible ignorance. To refuse to face the facts would constitute crass ignorance – an ignorance which moral theologians tell us is sinful. If you’re a Roman Catholic and want to save your soul, stay out of the OSJ.

“TWO BISHOPS IN EVERY GARAGE”

Rev. Anthony Cekada

The Roman Catholic, January 1983

There are a number of men who have appeared claiming to be “traditional Catholic bishops.” Peregrinus investigates.

The place is the Hofbrau Restaurant near Dickinson, Texas; the time, July, 1977, shortly before Archbishop Lefebvre dedicated Queen of Angels Church. Three priests of the Society of Saint Pius X are eating dinner and discussing the upcoming ceremony. A man in lay clothes – apparently the restaurant manager – appears at the table and asks how they are enjoying the food. The priests comment favorably on the meal.

“Are you Catholic priests?” the man asks.

“Yes, we are,” says one.

“So am I,” he replies and tells them his name: George Musey...

* * * * *

The place is a chapel in Acapulco, Mexico; the date, April 1, 1982. The long ceremony is over. Father George Musey, now wearing a bishop’s miter and carrying a crosier, processes through the chapel blessing the laity with the threefold Sign of the Cross...

* * * * *

Over the past few months, Catholics have been hearing rumors about “traditional Catholic bishops”¹ operating in the United States and elsewhere. The activities of these men have stirred up no little controversy in traditional Catholic circles: a number of independent Mass centers and one na-

¹ The reason quotation marks have been used around this particular phrase is explained at the end of the article.

tional organization have experienced divisions over them; tracts and articles, both pro and con, have appeared; and many of the laity seem genuinely confused.

Here *The Roman Catholic* hopes to present the background to this phenomenon for the benefit of its readers, and for those priests and laity who have become involved with these men, perhaps without knowing the full story. For the most part, traditional Catholics are sensible people, and we hope this article will serve as the proverbial "word to the wise."

Mgr. Ngô-dinh-Thuc



The story begins with Mgr. Pierre Martin Ngô-dinh-Thuc, who was born in Vietnam on October 6, 1897. His family was Catholic, and one of his brothers, Ngô-dinh-Diem, became the President of South Vietnam. Ngô-dinh-Thuc entered the seminary, obtained doctorates in canon law, theology and philosophy in Rome, and was ordained to the

priesthood on December 20, 1925. He taught for a while at the Sorbonne, and returned to Hue in 1927, where he taught in the major seminary and in the College of Divine Providence. He was appointed Apostolic Vicar at Vinh-long, and on May 4, 1938, was consecrated a bishop and named Titular Bishop of Sesina. At Vinh-long, he organized the diocese, as well as devoting some of his time to the University of Dalat.

Author Hilaire du Berrier notes that in 1955, the see of

Saigon became vacant, and Mgr. Ngô's brother Diem, then a powerful force in Vietnamese politics, attempted to secure the appointment for him:

Diem's next move was to request the robe of a cardinal for his brother. The importance of Rome's reaction to that request was highlighted by *France-Soir* of October 26, two days after the rigged plebescite: "The only shadow on the scene for Mr. Diem is paradoxically the attitude of the Vatican. The Vatican has just named as Bishop of Saigon, not the candidate of Mr. Diem, who is his own brother Mgr. Thuc, but an unknown priest named Hien..."

Diem protested. Monsignor Thuc boarded a plane for Rome. *France-Soir* of December 29, 1955, told how, pending the outcome of Thuc's direct appeal to the Vatican to annul the Hien appointment, the papal order naming Hien apostolic vicar of Saigon was held up by Diem's postal authorities, its seal broken, and the papal order photocopied. "The Vatican maintained its decision," wrote *France-Soir*, "and Vietnamese censors suppressed the announcement of Hien's elevation for several weeks, until priests announced the news from their pulpits and Hien himself used the word excommunication in regard to Diem."²

Later in his book, Mr. du Berrier describes the activities of Mgr. Ngô after his brother's efforts failed:

Archbishop Thuc - - recovered from his disappointment at not being given the Saigon diocese and plunged into business with gusto, buying apartment houses, stores, rubber estates and timber concessions. When Thuc set his eyes on a piece of real estate, other bidders prudently dropped out. - - Soldiers, instead of building defenses, were put to work cutting wood for brother Thuc to sell. Army trucks and labor were requisitioned to build buildings for him. A Saigon merchant observed, "As a brother of Diem, his (Mgr. Ngô's) requests for donations read like tax notices."³

² Hilaire du Berrier, *Background to Betrayal, The Tragedy of Vietnam*, (Belmont, Mass: Western Islands, 1965), pp. 127-128.

³ du Berrier, p. 147.

“Papal Ambitions”

Mr. du Berrier quotes an interesting article by Georges Menant in *Paris Match* (November 23, 1963) which tells of how power was divided in the Ngô family and of what were said to be Mgr. Ngô's ambitions in the Church:

“To Diem went the power,” wrote Monsieur Menant, “to Nhu the police, to his wife the corruption and the deals, to Luyen diplomacy and Can the traffic in rice. Religion was the domain of Thuc, the Archbishop, with his vast land holdings and personal residences surrounded by anti-aircraft batteries. But the Cardinal's hat was not the extent of Thuc's ambition. Monsignor Thuc intended to become Pope. Nothing less.

“It is the custom of the Vatican to choose the Supreme Pontiff from among the prelates of a country where the Catholic majority is absolute. That is why Diem published official statistics pretending that Vietnam was 70 percent Catholic, 20 percent Buddhist and 10 percent diverse sects. The claim might have continued had an apostolic delegation not arrived on the scene in the midst of a Buddhist celebration, and had said delegate not observed that, in his opinion, considering the Buddhist orri-flammes along the route, the 70 percent figure should apply to the faithful of the pagodas. Diem was furious...”⁴

Mgr. Ngô's papal ambitions aside, on November 24, 1960, he was named Archbishop of Hué, the former imperial capital of Vietnam.

In 1963, while he was in Rome at the Second Vatican Council, his brothers – President Diem, Nhu and Can – were assassinated in a coup d'état. He later said that his presence at the Council probably saved his life. An autobiographical account of his life recently appeared⁵ and it is obvious how deeply the sad turn of events affected him.

After the Council, he wanted to return to his See, but the new South Vietnamese government refused him permission

⁴ du Berrier, pp. 243-244.

⁵ “Autobiographie de Mgr. Pierre Martin Ngô-dinh-Thuc,” *Einsicht*, French ed, (Aug., 1982), pp. 7-86.

– apparently with the approval of the Vatican. In his recent autobiography, he describes what followed:

I waited for a few months and appealed to the Holy Father. I do not know what the Holy Father Paul VI did, but he took advantage of the impossibility of my return to my Archepiscopal See of Hué to ask for my resignation and to name in my place his favorite, Mgr. Diên.⁶

He was given the honorary title of Titular Archbishop of Bulla Regia on March 29, 1968, but for the most part was treated as an outcast by the Vatican. Access to his timber concessions and rubber plantations was cut off and he became an exile reduced to near destitution. He spent some time at the Cistercian Abbey of Casamari near Rome, and eventually went to work as an assistant pastor in the small village of Arpino, where he said Mass, heard confessions and engaged in catechetical work.

Shortly before Christmas, 1975, a priest appeared unannounced in Arpino. Mgr. Ngô recounts his words:

“Your Excellency [the priest said], the Holy Virgin sent me to bring you to Spain at once to render her a service. My car awaits you at the door of the rectory, and we shall depart at once to be there for Christmas.” Flabbergasted by this invitation, I said to him: “If it is a service requested by the Blessed Virgin, I’m ready to follow you to the ends of the earth...”⁷

The Palmar Fiasco

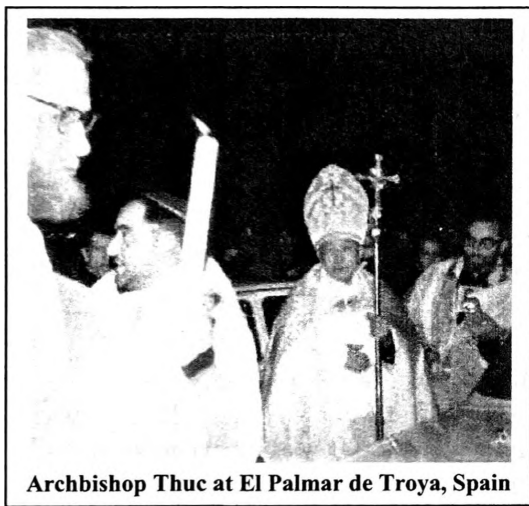
The three-day journey by car took Mgr. Ngô to Palmar de Troya, a Spanish village 25 miles south of Seville. In 1968, tales of apparitions there began to circulate. Among the early enthusiasts was a young man named Clemente Dominguez Gomez who organized devotions and set up a shrine in the little town. Soon he declared that he had received the

⁶ “Autobiographie...”, p. 79.

⁷ “Autobiographie...”, p. 85.

stigmata – not from God, but from Padre Pio. He began spreading the “messages” he received from the apparitions which were coming at the rate of two or three a week. Believers received celestial bulletins on everything from the condition of Paul VI (a “Prisoner of the Vatican” who had been “replaced by a double”) to the color of socks adherents were to wear. Mr. Dominguez even received messages as to when to cut off his beard.

When Mgr. Ngô appeared in Palmar, Mr. Dominguez asked the prelate to ordain himself and several other laymen to the priesthood, and then to consecrate him and a few



Archbishop Thuc at El Palmar de Troya, Spain

others bishops. If Mgr. Ngô had any doubts, they were dispelled after Dominguez gave him the news that Paul VI had appeared to him by means of “bilocation” to give his approval to the project.⁸

Pause for a moment to consider what Mr. Dominguez was saying: both the Bles-

sed Virgin and Paul VI (by “bilocation”) were telling a Catholic bishop that he should ordain laymen to the priesthood (whom he had just met, and who had done no ecclesiastical studies) and then consecrate them bishops – all in three weeks time. Where anyone else would have laughed the proposal off as absurd, Mgr. Ngô showed a truly colossal lack of common sense and agreed.

On the night of December 31-January 1, the 78-year-old prelate ordained five laymen, Clemente Dominguez, Manuel Alonso, Louis Moulins, Francis Fox and Paul Fox, to the

⁸ Mary Martinez, “Strange Events at Palmar de Troya,” *The Wanderer*, (ca. mid-1976).

priesthood. On January 11, 1976, Mgr. Ngô consecrated Dominguez and Alonso bishops, along with three other priests. It is said that the ceremony was conducted in a highly irregular fashion – i.e., that the consecration was performed without Mass, a violation of the rubrics in the *Roman Pontifical*.

Einsicht, a German magazine which supports Mgr. Ngô, recently stated:

Mgr. Thuc consecrated the first five bishops (of Palmar) after mature consideration, to secure the continuance of the Catholic Church. Already then, as also today, Mgr. Thuc has given an explicit declaration. The periodical *Einsicht* has at that time already vividly [sic] welcomed these consecrations. The attitude of Mgr. Thuc deserves not only no reproach, but is highly praiseworthy! - - In no way can he be reprimanded for the consecrations of Palmar.⁹

In light of the facts, no commentary on the foregoing text is needed.

Two weeks later, the 28-year-old Dominguez consecrated three bishops himself. "And this is only the beginning," he boasted to a reporter. "We are going ahead ordaining priests and consecrating bishops to spread the work of Palmar everywhere."¹⁰ He was true to his word. There are now hundreds of Palmar "bishops" – Dominguez even consecrated a 16-year-old boy. After the death of Paul VI (August 6, 1978), Dominguez (who had lost his eyes in an auto accident on May 29, 1976) declared himself Pope.

On January 13, 1976, Mgr. Ngô issued a statement defending his actions in which he asserted:

We are returned to Apostolic times in that the first Apostles went about preaching and ordaining without referring back to the first Pope, Saint Peter.¹¹

⁹ Dr. Kurt Hiller, "The Case 'Barbara'," *Einsicht*, English ed. (Aug., 1982), p. 26.

¹⁰ Martinez, *op. cit.*

¹¹ Cited in "Palmar de Troya, Light of the World," pamphlet, (n.d.), p. 3.

It is possible he had forgotten about Paul VI's miraculous "bilocation."

Mgr. Ngô then experienced a change of heart over what he had set in motion. On September 7, 1976, he arrived in Rome to make his peace with the Vatican.¹² The Vatican newspaper, *L'Osservatore Romano*, gives an account of the result of his visit:

The Prelate, as soon as he had realized the gravity of the facts, deplored and repudiated what he had done, and sought to impede further abuses. He then humbly placed himself at the disposition of the ecclesiastical authority. For this purpose, he hastened to request from the Holy Father absolution of the excommunication he incurred - - he asked pardon "for the great scandal given to the faithful and for the immense harm caused to the Church by placing in danger its unity." At the same time, he wrote to Clemente Dominguez Gomez - - and exhorted him in Our Lord's name to follow his own example on the path of penance to obtain absolution, warning him at the same time not to proceed to any further ordinations, "in order not to lacerate the Mystical Body of Christ."¹³

"Old Catholic" Connections

However, his change of heart was short-lived. Mgr. Ngô soon moved to Toulon, France. There, in 1979, he raised to the episcopate (for the "umpteenth time") Jean Laborie, leader of a schismatic "Old Catholic" sect, the "Latin Church of Toulouse."¹⁴ He also ordained another "Old Catholic" from Marseilles named Garcia,¹⁵ and a certain ex-convict named Arbinet¹⁶ who went on later to become a Palmar "bishop."

Nor were Mgr. Ngô's activities limited to the consecration

¹² Alfred Denoyelle, "Comment les Catholiques sont trompés," *Mysterium Fidei*, supplement to no. 57, (Mar., 1982), p. 3.

¹³ "Commentary on the Decree Concerning Unlawful Ordinations," *L'Osservatore Romano*, English ed., Oct. 7, 1976, p. 5.

¹⁴ Rev. Noel Barbara, "Surenchere Schismatique: Thuc en Bavière," *Fortes dans la Foi*, supplement to no. 9, n.s., (1st trimester, 1982), p. 2.

¹⁵ Denoyelle, p. 3.

¹⁶ Denoyelle, p. 3.

and ordination of schismatics. A French newsletter which supports him states that on Holy Thursday, April 15, 1981, he concelebrated the New Mass with Mgr. Barthe, the bishop of Toulon. The author explains:

He said it was because on that day he could not celebrate alone - - It happens that it was a false concelebration, because he said he didn't receive communion. For, when a priest does not communicate, there is not a Mass.¹⁷

Mgr. Ngô's justification for his action by maintaining that he only simulated the celebration of Mass – simulation of a sacrament, incidentally, is a grave sin – does not increase our confidence in his grasp of sacramental theology.

Father Guérard

At this point, a French Dominican, Father M.L. Guérard des Lauriers, OP, enters the story. Father Guérard in his day had enjoyed a fairly good reputation as a theologian and philosopher – he played

an important role in the writing of the *Ottaviani Intervention*. In fact, he served as a visiting professor at Archbishop Lefebvre's seminary in Ecône, Switzerland, where he taught the tracts on Mariology and the Last Things. His last academic year there was 1976-77.

After his sojourn at Ecône, Father Guérard produced a number of studies (unknown in this country) on a theological question hotly debated in some traditional Catholic circles – whether John Paul II is truly a pope (who is ruling unjustly, and therefore must be resisted) or whether he is a manifest heretic (who would be incapable of holding the office, and



Dom Gérard Calvet, founder of the Le Barroux Benedictines, Archbishop Lefebvre, and Father Guérard des Lauriers

¹⁷ Rene Rouchette, "Mise au point au sujet du sacre de Mgr. Guérard des Lauriers," *Lettres non-conformistes*, no. 28, (Apr., 1982), p. 5.

therefore no pope at all.) Father Guérard opted for the latter opinion – after a fashion. Normally, one would have expected him to line up John Paul’s pronouncements on one side and the teachings of the Magisterium on the other, argue that the former are heretical in light of the latter, and demonstrate from the teachings of the canonists that heresy renders a person incapable of holding the office.

Father Guérard, however, wandered off into the dense underbrush of obscure philosophical speculation, and after hundreds of pages¹⁸ emerged with the conclusion that John Paul II is the pope “materially, but not formally.” The limitations of space make it impossible either to recap his arguments or to explain in any great detail what his conclusion means – save to say that, in his opinion, John Paul II is the pope in one sense, and in another sense is not.¹⁹

As regards the New Mass, it is Father Guérard’s opinion that it is invalid in itself,²⁰ yet on May 7, 1981, Mgr. Ngô – three weeks after he had publicly concelebrated the New Mass – consecrated Father Guérard a bishop in a small room in a house in Toulon.²¹ Six French priests, who had been ardent supporters of Father Guérard’s theories and closely involved in the publication of his magazine, disassociated themselves from him.

“Easily Influenced”

Mgr. Ngô’s actions from 1975 onward do not inspire a great deal of confidence in his judgment or in his prudence: the Palmar affair, the promises made and promises broken to the Vatican, the involvement with “Old Catholics,” concelebrating the New Mass while claiming he really wasn’t, then

¹⁸ The studies were printed in Father Guérard’s magazine, *Cahiers de Cassiciacum*, in 1979 and 1980.

¹⁹ An explanation of (his distinction is offered by Father Bernard Lucien, “Note sur la Distinction ‘Materialiter-Formaliter,’” *Cahiers*, (Nov., 1979), pp. 83-86.

²⁰ “Invalid,” meaning that the sacrament is not confected. Unfortunately, in common use, “valid” has been reduced to meaning simply “good” and “invalid” has been reduced to meaning simply “bad.”

²¹ *Einsicht*, German ed., (Mar., 1982), p. 14.

consecrating someone who believes the New Mass is invalid. While everyone is entitled to a few mistakes, one is forced to say that those made by Mgr. Ngô were very grave indeed – objectively, they were inexcusable, especially for a bishop with great pastoral experience and a brilliant academic background in theology, philosophy and canon law.

But subjectively, is there an explanation? A newsletter which supports Mgr. Ngô describes him as a “timid Asiatic who was easily influenced,” and continues:

Once again, realize the fact that Mgr. Ngô, physically and psychologically worn out, - - only wants peace and quiet - - It should be noted that this prelate has acquired some complexes, and that age doesn't help things.²²

Again, it is good to recall that his brothers were murdered, his country was taken over by the Communists, his episcopal see and vast financial holdings were taken away from him, he was reduced to poverty, and he was treated as an outcast by the Vatican. Mgr. Lefebvre, who knew Mgr. Ngô, observed that he never recovered from the death of his brothers. Perhaps all this, combined with Mgr. Ngô's advanced age, provides us with some sort of an explanation for his behavior; perhaps, as well, after years of rejection, he simply wanted to be accepted by someone and live out his days in peace.

A Home with *Einsicht*

At some point, either prior to or immediately following the consecration of Father Guérard, Mgr. Ngô threw his lot in with – or, perhaps, fell under the influence of – yet another organization which had need of his episcopal ministrations. A group of Catholics in Munich, Germany, called “The Circle of Friends of the Ave Maria Group of Una Voce” had for some years been sponsoring a few Mass centers, in addition to a magazine called *Einsicht* (Insight). It will be easier to refer to this organization by the name of its publication.

²² Rouchette, p. 5.

Einsicht promoted the rather abstruse teachings of Father Guérard in Germany through its publications. It took Mgr. Ngô under its wing, and, presumably, provided him with some sort of material support.

A Mexican Connection

On October 17, 1981, Mgr. Ngô performed the ceremony of episcopal consecration once again, this time for two Mexican priests, Father Moises Carmona Rivera and Father Adolfo Zamora Hernandez.²³ The documents presently available do not show the genesis of this episode. However, in a May 16, 1982, letter to Mr. Alvaro Ramirez, Father Carmona writes:

The episcopacy was offered to me. I had to think about it in order for me to decide, [sic] and if at the end I decided, it was only for the interest that I have to cooperate in something [sic] in the rescue and triumph of the Church.²⁴

One can only speculate as to how this “offer” was made. Was it Mgr. Ngô or the people at *Einsicht* who “offered” episcopal consecration to Fathers Carmona and Zamora? Was there a general “offer” made to all traditional priests? Is there a mailing list available somewhere which provides the names of priests interested in such “offers”? Or did Fathers Carmona and Zamora simply drop Mgr. Ngô a note, ask if he would agree, and head for Toulon with freshly-bought miters in tow?

In this writer’s opinion, the last explanation seems the most likely one, given Mgr. Ngô’s track record. The prelate seems to be rather quick to make bishops – the Palmar affair comes to mind – and not particularly fussy. In light of this, one suspects that any priest to show up on Mgr. Ngô’s doorstep could get himself consecrated with very little difficulty and few questions asked. In an age of instant coffee, there are now “instant bishops.”

²³ *Einsicht*, German ed., (Mar., 1982), p. 14.

²⁴ “A Roman Catholic Bishop Speaks,” *The Seraph*, vol. II, no. 7, (n.d.), inside front cover.

The ceremony was held in Toulon, France, in what from the photos appears to be a room in a private home. Father Carmona writes that it was performed “without witnesses, but two illustrious doctors.”²⁵ He does not say whether these “two illustrious doctors” know the ins and outs of the fearfully complex Rite of Episcopal Consecration found in the *Roman Pontifical*, and whether they can attest that Mgr. Ngô did not substantially alter the rite. The question is a disturbing one – further research would be needed to ascertain what theologians and canonists consider sufficient evidence for validity in such a case. Under such rather extraordinary circumstances, however, it seems that the burden of proof for the validity of the consecrations must be placed upon those directly involved.

Two “Declarations”

On December 19, 1981, Mgr. Ngô issued a “Declaration about Palmar,” which reads in its entirety as follows (the translation is *Einsicht*'s):

I testify to have done the ordinations of Palmar in complete lucidity. I don't have anymore relations with Palmar after their chief nominated himself pope. I disapprove of all that they are doing. The declaration of Paul VI has been made without me; I heard of it only afterwards. Given the 19.XII.1981 at Toulon in complete possession of all my faculties.²⁶

This raises several questions: What was the relationship between Mgr. Ngô and Palmar during the two-year period which preceded Dominguez's self-proclamation as pope? What declaration of Paul VI is he referring to, and what did it say? What made it necessary to assure the faithful that he is in “complete possession of his faculties”?

On February 25, 1982, there appeared another “Declaration” over Mgr. Ngô's signature. It states that Mgr. Ngô “dec-

²⁵ “A Roman Catholic Bishop Speaks.”

²⁶ In *Einsicht*, German ed., (Mar., 1982), p. 13.

lares the See of Rome being [sic] vacant.”²⁷ The Latin this document is written in is extremely crude²⁸ – hardly what one would expect from someone who holds a Roman doctorate in canon law – and the material which precedes the conclusion does not really make an awful lot of sense. *Einsicht* informs its readers that they have a hand-written copy of the “Declaration.”²⁹ It would be bad enough if a layman – unschooled in theology, logic and Latin grammar, say – had written this “Declaration” and put it before Mgr. Ngô for his signature. It would be truly appalling if Mgr. Ngô had written it himself.

Be that as it may, on March 21, 1982, Mgr. Ngô read this “Declaration” publicly during a Pontifical High Mass in Munich. The same issue of *Einsicht* which contains photos of Mgr. Ngô reading this document also contains his autobiography in which he refers to Paul VI as “le St-Père” – the Holy Father – a rather surprising turn of a phrase, given the thrust of his “Declaration.”³⁰

South of the Border

Meanwhile, the two Mexican priests consecrated by Mgr. Ngô returned home, one to Mexico City and the other to Acapulco.

As one would expect, no time was wasted in making more “traditional Catholic bishops” for Mexico. On June 18, 1982, Father Carmona performed the rite of episcopal consecration for Fathers Benigno Bravo Valdez and Jose de Jesus Roberto Martinez y Gutierrez.³¹ Both men signed documents accepting Mgr. Ngô as their “legitimate superior,” promised him “obedience and fidelity,” and vowed not to perform any

²⁷ “Declaratio...,” *Einsicht*, German ed., (Mar., 1982), p. 7.

²⁸ A friend who holds a doctorate in classical languages said the document looks like exercise sentences from a first-year Latin grammar.

²⁹ *Einsicht*, German ed., (Mar., 1982), p. 13.

³⁰ “Autobiographie...” *Einsicht*, French ed., (Aug., 1982), pp. 78, 79.

³¹ “Bishop-Consecration [sic] of H.E. Mgr. Benigno Bravo...” etc., *Einsicht*, English ed., (Aug., 1982), p. 5.

“consecrations or ordinations” without his permission.³² Thus, the Mexican clergy seem to have placed Mgr. Ngô in a “quasi-papal” category – without all the fuss of gathering statistics on Catholics and Buddhists.

One traditional priest in Mexico with decades of missionary experience met one of these Mexican clergymen. In a recent letter to a priest who supported their actions, he alleged:

I spoke with one of the Mexican would-be bishops and was impressed by his ignorance and his behaviour, by which he seemed more to be a poor little ranch pastor than a bishop. Your argument that the Apostles were likewise people without much culture is worthless; they passed three years in the school of Our Lord Himself.

On April 1, 1982, Father Carmona signed an 85-word Latin document attesting that he performed the Rite of Episcopal Consecration for Father George Musey. A friend of ours who holds a doctorate in classical languages claims it contains at least a dozen grammatical errors.³³ (Father Musey is described as being “nationalitate norte-americana.”)³⁴ Father Carmona’s autobiography states that he taught Latin in a Mexican seminary.³⁵

³² “Juramento de conservar la unidad de la Iglesia,” *Einsicht*, English ed., (Aug., 1982), pp. 8, 9.

³³ The text is as follows:

“Nos Moyses Carmona et Rivera, Ecclesiae Unæ, Santæ, Catholicæ et Apostolicæ Romanæ Episcopus, notum facere omnibus:

“dia 1/a. mensis aprilis anni 1982, coram pluribus fidelibus qui in templo expiatorio Divinæ Providentiæ (in Acapulco Gro. Mexico) aderant, cum Excumus Dominus, Episcopus Adolfo Zamora et Rvdus Pater Benigno Bravo adsint, præterea unico fine gloriam Dei et animarum salvationem procurandi impulsus, dignitatem episcopalem Ecclesiae Catholicæ Rvdo. Patri George Musey, nationalitate norteamericana, nos contulisse, cum omnibus juribus ad hanc dignitatem pertinentibus.

“Datum die 1/a mense aprilis anni Dni 1982
+Moisés Carmona Rivera”

³⁴ The words apparently do not exist in Latin.

³⁵ “Curriculum Vitæ del R.P. Moises Carmona Rivera,” *Einsicht*, German ed., (Mar., 1982), p. 24.

It was through the actions of Fathers Carmona and Zamora that the consequences of Mgr. Ngô's activities would be felt in the United States.

Father George Musey

At this point in the story a Rev. George J. Musey appears. Father Musey was formerly a priest of the Diocese of Galveston-Houston, Texas. According to *The Catholic Directory*, he served as assistant pastor at the following parishes: St. Joseph, Houston (1953-1955); Immaculate Conception, Groves, Texas, (1956-1958); St. Mary's, Liberty Bell, Texas (1959); Resurrection, Houston (1960-1962); St. Louis, Winnie, Texas (1963), and St. Augustine, Houston (1964) – six assignments in 11 years. From 1965 to 1968, he is listed as “absent on sick leave.” In 1969 his name disappears.

Eight years later, as noted above, Father Musey surfaced in the Hofbrau Restaurant near Dickinson, which he managed for his parents. (He informed one traditional priest that he occasionally celebrated private Mass in a Greek Orthodox church.) Sometime thereafter, he began functioning as a priest again, and went on the circuit to offer the traditional Mass.

In January, 1982, together with another American priest, Father Musey visited the newly-consecrated Fathers Carmona and Zamora in Mexico.³⁶ It is not known if he had any personal contact with them prior to this visit.

Whatever else may have been discussed, one thing seems to be certain – Father Musey was “offered the episcopacy.”

On April 1, 1982 – less than three months later – Fathers Carmona and Zamora performed the ceremony in the Acapulco chapel. (The photos of the event reveal some departures from what is prescribed in the *Roman Pontifical*.)

“Father” DeKazel

At some point, a Mr. James DeKazel joined forces with Fat-

³⁶ Cf. *Sangre de Cristo Newsnotes*, no. 32, (Mar., 1982), *passim*.

her Musey. Priests of the Society of Saint Pius X who visited the Armada seminary during the mid-seventies recalled that there was a man by the same name employed as a cook for a time. The chapel register attests that Mr. DeKazel was married to S. Katherine Marie Roski by a priest of the Society on May 24, 1974, in Royal Oak, Michigan.

In 1982, traditional Catholics began to hear of a “Father” James DeKazel who was somehow associated with Father Musey. This “Father” DeKazel had written a 15-page defense of Mgr. Ngô’s actions and issued it on April 2, the day following the ceremony for Father Musey in Acapulco. Discreet inquiries revealed that there was a connection between “Father” DeKazel and a man in Glacier, Montana, who calls himself “Father Joseph Maria” and who claims to be a “Bishop” as a result of his involvement with a schismatic sect.³⁷ “Father Joseph Maria” informs us in a document signed on June 7, 1979:

I was told that Heaven wants me to be ordained a priest and bishop; so I was ordained and consecrated a priest and bishop in 1963 [and] 1964 [respectively]. Later I was reconsecrated conditionally as attached documents will show – without accepting the resp. [sic] Faith of those who ordained me.

The “reconsecration” alluded to was performed in 1967 by an “Old Catholic” named Brearly who pretended to confer priestly and episcopal orders on women as well.³⁸

An article which appeared in the Billings, Montana, *Gazette* last year notes:

Pope Paul VI is alive and being held captive by enemies of the Catholic Church according to a Montana priest - - The Rev. Joseph Maria of West Glacier said the man buried in 1978 was not Pope Paul, but a double - - When the double tired of his function, he was killed and buried as Paul VI, Maria said - - The pre-

³⁷ Bert Joseph Rauber was originally his name. He spent some time as a Benedictine lay brother. He later joined the S. Jovite sect in Canada.

³⁸ The information on Brearly is from Peter F. Anson, *Bishops at Large*, (London: Faber and Faber, 1964), p. 383.

sent pope, John Paul II, is aware that Pope Paul is still alive, but is cooperating with the conspirators.

In other words, the Chair of Peter is not vacant because the Vatican dungeon is still occupied – certainly an original solution to a delicate theological question.

In an August 9, 1982 letter, “Father Joseph Maria” tells a correspondent that:

Yes, Fr. James de Kazel [sic] is a properly ordained priest. Why don’t you get in touch with him and let him explain everything to you? He was ordained by me earlier this year; I am a bishop and Bishop Musey knows me personally. You could also inquire from him. Do not go by hearsay – for people hear and misunderstand and jump to conclusions – and come to the wrong decision.

So, Mgr. Ngô is not the only one involved in this phenomenon who has associated himself with “Old Catholics.” There is an American “Old Catholic” connection as well.

Father Louis Vezelis

The next clergyman to throw his lot in with the spiritual progeny of Mgr. Ngô was Father Louis Vezelis of Rochester, New York. Father Vezelis, 52, entered the Franciscan Order and spent 18 years as an Army chaplain in Korea. Five years ago he returned to the U.S. and finally settled in Rochester, his home town. In December, 1979, he purchased a home there and outfitted a small private chapel in which to offer the traditional Mass.

Father Vezelis founded a publication called *The Seraph* in 1980 – the exact date is uncertain because the magazine contains no indication of the month or year for which a given issue is intended. The first issue not only solicits vocations for a foundation of Poor Clares, but also announces “the dedication [of a] Franciscan foundation of the strict observance as a SHRINE to the Immaculate Heart of Mary”³⁹ and

³⁹ “Shrine of the Immaculate Heart of Mary,” *The Seraph*, vol. I, no.1, (n.d.), p. 7.

the opening of a Franciscan seminary dedicated to St. Bonaventure. Prospective vocations are told “we can promise you an unparalleled spiritual adventure” – a prophetic utterance in light of what was to follow. (Later issues speak of facilities for private retreats “for the exhausted Fathers,” and a “minor seminary” in Buffalo – all in all, a rather ambitious program for one man.

The first issue of *The Seraph* contained the following reflection in response to the question “What do you think of the new Pope?”

As Pope, vicar of Christ on earth, His Holiness has not made any devastating decisions so far - - Frankly and respectfully, it would be unfair to all concerned to make rash judgements. Pope John Paul is the legitimate Vicar of Christ on earth. We pray for him daily at Mass. Won't you do the same?⁴⁰

(Catholics in Upstate New York recall that Father Vezelis criticized other traditional priests as allegedly being “against the Pope.” But there would be a rather sudden “conversion” on this question – as we shall see.)

In Volume I, no. 7 of *The Seraph*, an editorial speaks of “Peter’s Barque,” and contends that “unwitting passengers are uncereemoniously ushered into leaky lifeboats by self-appointed crewmen - - no matter how battered the Barque of Peter, there is always a skeleton crew.”

In the same issue, in an article entitled “The Body Beautiful and the Christian,” there is the following statement:

For some time now, His Holiness, Pope John Paul II, has been telling people all about the body. This has and [sic] snide remarks at the Pontiffs efforts to shed some light upon the human frame. Perhaps the Holy Father is approaching the subject with the same detachment an artist would paint a nude, or a physician would examine a patient.

The article goes on to “shed some light upon the human fra-

⁴⁰ “What was the question?,” *The Seraph*, vol. I, no. 1, (n.d.), p. 11.

me.”

Over and above such expressions of loyalty, the February 14, 1982, bulletin of Father Vezelis’ Sacred Heart Mission in Buffalo stated:

For those who may not understand Catholic tradition and practice: Sacred Heart Mission has become a Franciscan Foundation according to the laws of the Roman Catholic Church. We are Franciscans whose bishop is the Pope in Rome - - Nor are we an illegal Religious organization without papal approval such as the Pius X people - - This mission is the ONLY [sic] legitimate place where true Catholics in union with the Pope can attend the Latin Tridentine Mass.

Now, surely those who hesitated to assist at the traditional Mass because of scruples over canon law would have been delighted to learn of traditional Franciscans who are not only “legitimate” – but “whose bishop is the Pope in Rome.”

However, there seems to have been some sort of a misunderstanding. In response to an inquiry from a concerned Catholic, Archbishop Augustin Mayer, Secretary of the Vatican Congregation for Religious, wrote on May 25, 1982:

Please forgive the delay in answering your query concerning Rev. Louis Vezelis, O.F.M. but we have had to make enquiries to ascertain his status.

We can now tell you that Fr. Vezelis belonged to the Lithuanian Franciscan Vicariate of St. Casimir, but was expelled from the Franciscan Order on April 17, 1978. He does not recognize the jurisdiction of the local Ordinary, but presents himself as a genuine Franciscan Father.

Obviously, the organization operated by Fr. Vezelis is not recognized by the Holy See or the American hierarchy, and therefore, there is no basis for calling it a “Franciscan foundation whose bishop is the Pope in Rome.”

As noted above, Father Vezelis announced the opening of “St. Bonaventure’s Seminary” in Rochester and began to re-

ceive applicants. (According to the latest information, there are three students.) It is unfortunate that (to our knowledge) the names of the professors engaged in this endeavor have not been published.

The most vexing problem in opening a traditional seminary these days is, of course, finding a bishop to ordain the seminarians. Rumors spread among the laity that Archbishop Lefebvre would do the honors. However, when informed that there was a "traditional seminary" with a few students in Rochester, His Grace replied: "That's nice. Who will ordain them?" Moreover, if you're a "Franciscan foundation whose Bishop is the Pope in Rome," and the Congregation for Religious says you're not, it is unlikely that any help will be forthcoming from that quarter. The question arises: "Where do you turn?"

A possible answer to this question appeared during the first few months of 1982 when word began to spread among traditional Catholics in the United States of the activities of Mgr. Ngô.

In April or early May of 1982, an editorial in *The Seraph* spoke in ominous tones of John Paul II's planned visit to Great Britain and of his dealings with the Anglicans. His expected participation in ecumenical worship services would be "self-condemning." Readers were informed:

[The] ambivalent and misty visit of Pope John Paul II to Great Britain tends to confirm the already loud cries in certain circles doubting the Pope's right to represent the Head of the Catholic Church, Jesus Christ, as His Vicar - - If the Pope - - participates in religious services of a heretical sect - - this would, in fact, amount to a repudiation of his solemn duty - - The coming visit of Pope John Paul II will serve to decide [sic] many Catholics hitherto wavering as to his true intentions as the occupant of St. Peter's Chair.⁴¹

In the same issue, there is an article which defends the "unexpected consecration of several *very valid and very Ro-*

⁴¹ "Editorial," *The Seraph*, vol. II, no. 7, (n.d.), inside front cover.

man Catholic bishops."⁴² Given the drift of the editorial page, it was reasonable to assume that there would surely be at least one more consecration – but it wouldn't be entirely "unexpected."

In the next issue (Vol. II, no. 8 – June, perhaps), readers were treated to two articles which attempted to deal with the canonical effects of common worship with heretics, a letter of Father Carmona which stated that the Holy See has been vacant for 20 years, an article entitled "Habemus Papam?" (the answer given is "no"), and a cover photograph of Mgr. Ngô who was referred to as "The Man of the Hour."

"Brother Juniper's" question and answer column tackles a rather thorny problem: three issues back (in Vol. II, No. 5), *The Seraph's* readers were informed that "A Catholic who wishes to save his soul must be united to the living Vicar of Christ. This does not mean that you must agree with everything he says or does." The questioner asks for a clarification. In part, "Brother Juniper" replies:

At the time of the writing of the particular issue - - it was felt that the evidence supporting the position that the apostolic See was vacant was, in our opinion at least, inconclusive. Perhaps we were overly cautious. Nevertheless, we do not refuse the evidence.⁴³

In light of what followed, one may speculate as to the extent the sight of Mgr. Ngô on the horizon affected the speed with which the "evidence" was embraced.

Having seen such an earth-shaking theological question disposed of in a period of two or three months – surely record

⁴² "I.M. Wiseman," "Words of Wisdom," *The Seraph*, vol. II, no. 7, p. 6 (Emphasis in original.) On pp. 7-8, "I.M. Wiseman" claims "Archbishop Lefebvre urges his followers to deny not the last *four* popes but the last *seven*!" (Emphasis in original.)

This rather astounding assertion is based on Archbishop Lefebvre's statement: "From this follows the necessity of attaching ourselves to the last canonized Pope, St. Pius X, to remain in the Catholic faith without danger of erring." It is not clear whether the humor of "Wiseman's" statement is intentional or unintentional.

⁴³ "What was the question?," *The Seraph*, vol. II, no. 8, (n.d.), p. 24.

time – one is led to ask another question, which is a bit more practical and to the point: Who will ordain the students at “St. Bonaventure Seminary?”

The July 1982 issue of *The Seraph*, to no one’s surprise, announces that “The Most Reverend Louis Vezelis, O.F.M.” will be consecrated a bishop by Mgr. Ngô and that:

Everyone is invited to attend this historical moment [sic] of great Roman Catholic importance [sic]. The anguish of many Roman Catholics has been the absence of true and loyal Roman Catholic bishops who are alone the successors of the Apostles and the divinely instituted shepherds of the flock. The majority of loyal Roman Catholics will rejoice with [sic] the visible presence of ecclesiastical authority so long absent.⁴⁴

The “Assisting Bishops” (co-consecrators?) are named as “His Excellency Moises Carmona, His Excellency Adolfo Zamora, His Excellency George J. Musey.” The ceremony would take place on August 24 in Sacred Heart Mission in Buffalo. Thus, the day was saved, and the future of “St. Bonaventure Seminary” was secure.

Father Vezelis stated that Mgr. Ngô asked him to accept episcopal consecration.⁴⁵ Once again, several interesting questions arise. Had Mgr. Ngô ever met Father Vezelis? How long had Mgr. Ngô known of him? How did Mgr. Ngô make this offer? In person, or through the mail? How long after Father Vezelis’ public conversion to what is said to be Mgr. Ngô’s theological position was this offer made? Did Mgr. Ngô conduct a prudent investigation before making the offer or did he proceed as he did with Palmar and the Old Catholics?

Whatever the answers to these questions may be, one thing is clear – the date for the ceremony arrived in no time.

Mgr. Ngô was not able to make it (his place was taken by Father Musey), nor was “the majority of loyal Roman Catho-

⁴⁴ “Special Announcement,” *The Seraph*, vol. II, no. 9, (n.d.), p. 1.

⁴⁵ “Bishop-to-be to fight for old ways,” *Rochester Times Union*, Aug. 12, 1982, section B, p. 1.

lies" (about sixty people attended the ceremony in the cavernous church).

Father Vezelis was roundly criticized in most traditional Catholic circles. A subsequent editorial in *The Seraph* blasts what he terms "neoanticlericalism":

[which is] aptly illustrated by the hysterical attacks made in some pretended "Catholic" periodicals whose goal is to establish a laicized Church by means of ridiculing the hierarchy.⁴⁶

The "hierarchy" allegedly being ridiculed appears to consist exclusively of those clerics who have gotten involved with Mgr. Ngô.

"Tacit Consent"

A curious sidelight to all these goings-on is Father Vezelis' insistence that his activities somehow have enjoyed the approval of the Franciscan Minister (Superior) General in Rome. An article on his organization which appeared in May, 1982, states:

Other conservative priests have actually broken with Rome for the sake of Rome, but Father Louis has not yet had to go that far. As a member of the Order of Friars Minor, he takes his orders from the Franciscans' Father Superior in Rome, not from the local bishop.

"Rome has been silent," Father Louis says with a wry smile. He believes that silence implies a "tacit consent" for his Mt. Read Friary and seminary.⁴⁷

On August 12, 1982 – twelve days before the ceremony in Buffalo – an account in the secular press says that Father Vezelis is, in theory, responsible to the Franciscan Minister General. He is quoted as saying, however, that "we maintain a minimum of contact."⁴⁸

⁴⁶ "Anticlericalism," *The Seraph*, vol. II, no. 10, (n.d.), inside front cover.

⁴⁷ "A Band of Brothers," *Sunday Democrat and Chronicle*, May 2, 1982, Upstate section, p. 12.

⁴⁸ "Bishop-to-be...", etc., p. 2.

A few days after the ceremony, Father Vezelis claimed in another paper, *The Courier Express*, that he had the tacit approval of the Franciscans – by their silence – to continue his work.

There is, however, another point of view on this matter. Father Louis Brennan, writing on March 9, 1982, from Rome on behalf of the Franciscan Minister General, states:

Fr. Louis Vezelis was a member of our Franciscan Order, in particular, a member of our Lithuanian Vicariate which has its center in Kennebunkport, Maine. By letter of April 19, 1978, the then Superior of the Lithuanian Vicariate, informed us that Fr. Vezelis had been declared automatically dismissed from the Order, by decree of April 18, 1978, on grounds of removing himself from Franciscan jurisdiction.

He is, then, no longer a member of our Franciscan Order, nor are we in a position to answer for him.

If Father Brennan's letter contains any "consent" to Father Vezelis' activities, it is very "tacit" indeed.

A New "Hierarchy"

As we noted above, the activities of Mgr. Ngô in the mid-seventies led to the formation of the schismatic "hierarchy" of Palmar de Troya, the leaders of which went on to make extravagant claims regarding their "authority." (The process culminated in Mr. Dominguez' self-proclamation as "Pope.")

History, it seems, is beginning to repeat itself. Over the past few months, Father Vezelis has begun to make a number of claims regarding the "authority" of the "hierarchy" set up by Mgr. Ngô. Recently Father Vezelis commented on the various controversies which are occasionally found in certain traditional Catholic circles and wrote:

- - the basic problem appears to be in the matter of *whom* to obey. Indeed, this is the crucial question: *Whom* will all those Catholics who have refused to follow an heretical hierarchy obey? Clearly, if they are to remain Roman Catholic, they must submit

to a Roman Catholic hierarchy. And here is where the conflict arises. Very few seem ready to submit to legitimate Catholic authority.⁴⁹

He goes on to say that those who deny that there now exists "canonical authority" in the Catholic Church (as distinguished from the Conciliar Church) are guilty of "heresy," and says that "denial and refusal of legitimate authority gives birth to anarchy."⁵⁰

But, the reader may ask, where is this "legitimate authority" to be found? With "Bishop" Vezelis and "Bishop" Musey, of course. Take, for example, the question of determining what is suitable reading material for a Catholic. "The safest course," we are informed, "is to inquire of one of the bishops as to what literature is wholesome."⁵¹ Further, "The only ecclesiastics who still have this authority are those who received it previously from legitimate bishops."⁵²

(By extension it would seem to follow that traditional Catholics in Europe would be free to submit manuscripts for an Imprimatur to the "Old Catholics" consecrated by Mgr. Ngô.)

Nor is this "legitimate authority" limited to reading material – everyone involved in religious instruction is supposed to be subject to it:

Now that there are doubtlessly valid and licit bishops, Bishops Musey and Vezelis, those priests and laymen who preach and teach are bound to follow the [sic] Canon Law in union with these bishops. This should not surprise anyone, because this is a requirement of the Catholic Church.⁵³

⁴⁹ "Conflict or Controversy," (editorial), *The Seraph*, vol. III, no. 1, (Sept., 1982), inside front cover. Beginning with this volume, the month and year of the issue appear. For some reason, however, the copyright date given is still 1980.

⁵⁰ "Conflict or Controversy."

⁵¹ "Brother Juniper," "What was the Question?" *The Seraph*, vol. III, no. 1, (Sept., 1982), p. 19.

⁵² "Brother Juniper," "What was the Question?" *The Seraph*, vol. III, no. 1, (Sept., 1982), p. 19.

⁵³ "Brother Juniper," "What was the Question?" *The Seraph*, vol. III, no. 1, (Sept., 1982), p. 19.

It should be evident to every Catholic that no one has the right to teach in the name of the Catholic Church who has not received such delegated authority from a Catholic bishop. The same holds true for those who would remain Catholics while blatantly ignoring the authority of those whom Christ has placed to rule the Church: the bishops.⁵⁴

In Father Vezelis' opinion, then, priests and laymen are "bound" to be in union with him and to accept his "authority." That's nice.

According to *The Seraph*, those who disagree with Father Vezelis on this issue have put themselves in a rather precarious position:

Until the appearance of valid and licit Roman Catholic bishops - - the ordinary priest was the legitimate authority for all Catholics - - The fact remains: these clergymen ["Bishop" Vezelis *et al.*], and no one else, represent the Catholic Church.⁵⁵

"Extra Vezelis, Nulla Salus"

A brief resume of the claims of the members of this new "hierarchy," then, would read as follows: (1) They are "ecclesiastical authorities." (2) Those who disagree with them are, by implication, "heretics." (3) They possess "divine authority." (4) They alone "represent the Catholic Church."

By making such claims, these men have set themselves up as the "hierarchy" of what can only be called a new religion with its own "magisterium." In effect, they teach that those traditional Catholics who do not accept their self-proclaimed authority are "outside that Catholic Church," and imply that such traditional Catholics put their salvation in danger. "Outside the 'traditional Catholic bishops' there is no salvation," or, to coin a Latin aphorism: *Extra Vezelis, nulla salus*.

⁵⁴ "Canon Law," (editorial), *The Seraph*, vol. III, no. 2, (Oct., 1982), inside front cover.

⁵⁵ "David Michaels," "Letter from New York," *The Seraph*, vol. III, no. 3, (Nov., 1982), p. 8.

After reading the claims these men put forward, it is mildly amusing to see *The Seraph* speak of the Society of Saint Pius X as “those scandalous violators of Church unity and freedom, namely, Lefebvre’s schismatic sect,” and go on to say:

The most disastrous insult to truth and Catholic unity is this pretentious organization which isolates its members from all contact with legitimate priests and bishops of the Roman Catholic Church.⁵⁶

“Invasive Enterprises”

Mgr. Ngô seems to have some rather unusual ideas on liturgical and disciplinary matters.

A section of his autobiography appeared in a recent issue of *The Seraph*,⁵⁷ and the index page notes it is “from the French by Bishop Vezelis.” Mgr. Ngô says that “among the intellectuals, we admit unity of dogma in matters of Faith, but with diversity in the spheres which do not touch dogma.” Speaking of the situation in the Church before Vatican II, he continues:

This explains to some extent my disaffection for the invasive enterprises of the Vatican to impose points of liturgy and canon law – in a word – reducing the particularity of every civilization to a common denominator - - Diversity is the ornament of the universe. Why impose only one manner of celebrating the Holy Mass, which consists uniquely of the consecration? And to impose it under the penalty of suspension and even excommunication – is this not an abuse of power?

Mgr. Ngô seems to have forgotten that the reason the Church insisted on liturgical uniformity was because she viewed it as a reflection of doctrinal unity. In any case, he continues:

⁵⁶ “Rev. S.O. Park,” “St. Athanasius,” *The Seraph*, vol. III, no. 3, (Nov., 1982), pp. 5, 9.

⁵⁷ “Misericordias Domini in Aeternum Cantabo: Autobiography of Archbishop Peter Martin Ngô-dinh-Thuc,” *The Seraph*, vol. III, no. 3, (Nov., 1982), pp. 13-14.

The Vatican invents regulations in order to choke any peculiarity, be it liturgical, or be it canonical, of the local Churches. It wishes uniformity everywhere without thinking that the liturgical peculiarities of the oriental Churches date back to the apostolic age, and without considering that each people has its characteristics just as respectable as those of Rome.

The oriental customs he enumerates are the social customs of pagan Asian cultures, and not those of the eastern Uniate churches. The reason the Church “invented” regulations, by the way, was to preserve the faith and to “choke” error.

He observes that Our Lord celebrated the Last Supper according to the Jewish Passover customs, and continues:

Presently the priest consecrates while standing and receives Holy Communion in an inclined position. Why should he do that, since one eats while sitting? The Japanese eat while sitting on their heels; Hindus eat while sitting on the ground and the food spread out on a banana leaf. The Chinese and Vietnamese eat with chopsticks.

He goes on to make the curious argument that, in light of this, Paul VI was illogical in condemning those who celebrate the traditional Mass because he condemned “those who celebrate in a different manner.”

Thus, Mgr. Ngô, the head of this “hierarchy” views the uniformity which existed in the Church prior to Vatican II in matters of canon law and liturgical practice as “invasive” and undesirable. It was an “abuse of power.” Mgr. Ngô, on the other hand, views diversity in these areas as “an ornament of the universe.” It all sounds a bit like the documents of Vatican II.

(As an aside, it is interesting to note that in the same article Mgr. Ngô uses the words “good Pope John XXIII,” which would no doubt come as a surprise to his Mexican “bishops,” who seem to believe that the Apostolic See has been vacant since the death of Pius XII. Perhaps the phrase is simply a manifestation of the “diversity” which ornaments the particular universe under discussion.)

An Assessment

We have presented a short overview of the practical consequences of Mgr. Ngô's activities. Next, a brief assessment is in order.

It is important to avoid diversions in discussing this issue, and there are two objections which run the risk of leading the debate far afield.

The first objection is based on the fact that these men believe (or at least profess to believe) that the Apostolic See has been vacant since the death of Pius XII. Though one has seen little that could be classified as serious theological writing emanating from their quarter – unless breathless prose sprinkled with italics, exclamation points and attacks on nearly everyone else could be classified as “theology” – they end up with what is simply a theological opinion. And only the Magisterium of the Church has the authority to settle definitively a “theological question” and the practical consequences thereof.

Mgr. Ngô's most vocal adherents, in effect, raise what is only an opinion to the level of divine and Catholic faith by implying that anyone who disagrees with them is somehow not Catholic. Those who oppose the opinions of these men should refuse to play the game with them by falling into the same trap.

The second common objection touches upon canon law. On April 9, 1951, the Holy Office decreed that any bishop who consecrates a bishop not nominated or confirmed by the Holy See and whoever receives episcopal consecration in such a fashion incurs excommunication reserved “*specialissimo modo*” to the Holy See. The event which precipitated this decree was the consecration of bishops for the Chinese National Church, a puppet body set up by the Chinese Communists. Formerly, the penalty had only been suspension – the same as the one laid down for bishops who ordain priests without dimissorial letters.

However, these are prescriptions of human law – and not of the divine, the natural or the divine-positive law. There

are historical precedents for consecrating bishops without the customary documents, and there are prudent people who can make a reasonable case for such a course of action under the present, rather extraordinary circumstances we face – though one has yet to see it made by the supporters of Mgr. Ngô. Hence, calling the canons into the fight only diverts our attention from the real issues.

To take these self-styled bishops to task on the basis of either theological opinion or canon law would only dignify what they have done – and discussions based upon mere opinion tend to draw our attention away from the facts.

Consider the history of the affair as a whole: private revelations, the Palmar affair, reconciliation with the Vatican, involvements with French “Old Catholics,” concelebrating the New Mass, together with a sudden involvement with someone who believes it’s invalid, “secret consecrations,” a sudden “Declaration” about the Holy See, high-sounding “Oaths of Unity,” a Latin teacher who has problems with Latin, a disappearing priest who ends up a “bishop,” “Father” DeKazel, Franciscans “whose Bishop is the Pope in Rome,” a one-priest monastery-seminary-convent-retreat house, sudden hairpin turns on ideology, mysterious “offers of the episcopacy,” claims of “tacit consent,” self-proclamations of universal ordinary jurisdiction, and so on.

Can we really take all this seriously and suppose that the “bishops” involved in such goings-on are the future of the Church? Impossible. Even to refer to them as “traditional Catholic bishops” lends too much respectability to the whole business, which is, in this writer’s opinion, very disrespeccable indeed.

One theme which dominates the affair from beginning to end is a gross and dangerous lack of prudence regarding the transmission of Apostolic Succession – a matter in which the slightest lack of prudence is inadmissible. St. Paul reminds us: “Lay not hands lightly on any man” – he does not say: “Lay hands quickly on anyone.”

What is far more serious, however, is that these men claim that they are the “only legitimate authority” of the

Catholic Church and that Catholics are “bound” to obey them. Further, they pretend to exclude from the Catholic Church those traditional priests and laymen who refuse to recognize their “authority” – something no traditional organization we know of presumes to do. By making such claims, these “bishops” have set up their own religion, with its own “magisterium,” its own “episcopal hierarchy,” and its own beliefs. It is a new religion, in spite of its trappings – and all its “episcopal consecrations,” self-important proclamations and inflated claims of “canonical authority” cannot make it into me Catholic religion. It is at the very least in the process of creating what will surely become a schismatic sect.

The story will not end here – it is probable that “instant bishops” will continue to multiply exponentially, as among the “Old Catholics.” Our missionary friend in Mexico offers us his opinion on this rather gloomy prospect:

We should have within a few years hundreds or thousands of bishops - - without true vocations, the one more ignorant than the other, and an unavoidable cause of more division among traditionalists.

It is not impossible that one day these men will decide that their “authority” allows them to elect a “pope” from among their number. Perhaps we will see them trudge along the path already taken by Palmar de Troya, following some man who wears a tiara that looks like a lamp shade and who cranks out “encyclicals” by the dozen.

If such a day comes, we will then see the ultimate consequences of the movement which, for the moment, seems to promise “a prelate in every pot, and two bishops in every garage.”

LETTER OF “THE NINE” TO ARCHBISHOP LEFEBVRE

March 25, 1983

by Nine American Priests of the SSPX

The Roman Catholic, May 1983

NOTE: *This letter was sent to Archbishop Lefebvre and the General Council of SSPX. The priests who wrote it were expelled the following month.*

Your Grace and Rev. Fathers:

It is our understanding that the reason for which the Fraternity of St. Pius X was founded was to promote fidelity to Tradition, by which is meant loyalty to the Church, her doctrine, moral teaching, worship, sacraments and discipline. That such an organization was necessary was due to the fact that the reforms introduced by Pope John XXIII set in motion a process that has resulted in radical change, which constitutes a substantial rejection of traditional Catholic doctrine, morality and worship.

History records that Your Grace was one of the voices of courage and sanity at the Council, and in the years following the Council you refused to cooperate in the destruction of the Church. It was natural that others who loved the Church and her traditions would turn to you. It is no exaggeration to say that you became a symbol to millions of loyalty to tradition, and many souls who might otherwise have been lost will spend eternity in heaven because of what you have done.

Thus in the light of these facts it is necessarily with great sadness that we write to Your Grace and the General Council of the Fraternity about certain matters which we believe are so serious as to constitute a substantial departure from the purpose for which the Fraternity was established and could bring about its ultimate ruination – if they are not corrected. This we must do out of loyalty to that purpose, but more importantly out of loyalty to the Church.

Therefore, we respectfully manifest our grave concern over certain serious developments which have arisen in the Fraternity in the hope that these matters will be resolved. We ask you to give serious consideration to these points which are presented to you by priests who have given you years of faithful service.

1. The Seminary

At the beginning of the school year Your Grace imposed reforms in the Mass at the seminary in Ridgefield, i.e., liturgical reforms imposed by John XXIII. As you know, these reforms are a phase in the process begun in the 1950's, authored by Annibale Bugnini, the creator of the New Mass, and brought to completion by Paul VI. Since these reforms led eventually to the New Mass in the Church, this caused great scandal at the seminary among professors and students.

You said these reforms were necessary for "unity." But these first reforms did not bring unity – which already existed at the seminary. Instead, these changes in the Mass were a prelude to the destruction of peace and unity. Up to that time the seminary in Ridgefield was virtually free of problems. The conflicts and controversy that were so characteristic of Ecône were unknown in the American seminary. Here the seminarians were trained in peace and serenity.

The quest for unity by John XXIII resulted in disunity. How could his reform imposed on a traditional seminary of the Fraternity set the stage for anything but trouble? The imposition of these reforms was subversive of the principle on which the Fraternity was to build: loyalty to tradition. Furthermore, it is contrary to right reason to attempt to counter the disorder of the liturgical revolution by imposing in the Fraternity an important phase of that revolution as the liturgical norm we should follow. Why impose reforms which contributed to an attack on tradition? Unity cannot be based on disorder and novelty. And so, as happened in the Church on the heels of the changes of John XXIII, there followed a spirit of contention and division in the seminary

– a spirit which has led to the unhappy state in which we find the seminary today, a place not at peace, but in controversy and unrest. As a devil entered in when John XXIII began with his reforms, so too has one entered the seminary in Ridgefield since those same reforms were imposed. The devil's name is legion.

2. Doubtful Priests

Over the past few years, the Fraternity has accepted the service of priests ordained by vernacular versions of the New Rite of Ordination of 1968. On November 30, 1947, Pope Pius XII issued his Apostolic Constitution *Sacramentum Ordinis*, dealing with the matter of the Sacrament of Orders. It was his intention “to put an end to all controversy,” as he said. He did this by, among other things, decreeing and determining which words in the form for the ordination of a priest “are essential and therefore requisite for validity.” The English words of the form in the New Rite of ordination so differ from the ones Pius XII said were essential for validity that they introduce a positive doubt as to its validity. In fact the doubt is not negative, but positive enough even in your own mind, Your Grace, so as to justify the conditional ordination of priests ordained in the New Rite. And so you have in fact conditionally ordained at least two priests in America: Father Sullivan and Father [. . .].¹ Indeed, you even asked Rev. Philip Stark to accept conditional ordination and he, as you yourself told us, adamantly refused. And yet, after his refusal, you nevertheless allowed and continue to allow him to work with the Fraternity; and he is not the only doubtfully ordained priest that you permit to do so – he is one of many.

Thus under the aegis of the Fraternity doubtful Masses are being offered, doubtful absolutions are being given and dying people are being anointed with an “Extreme Unction”

¹ The name of the other priest who was conditionally ordained was originally omitted at his request when the Letter was published in *The Roman Catholic*. Later it became public that the priest was Fr. Ronald Ringrose.

that may be invalid and of no more value than the anointing with oil done by a Protestant minister. How, one must ask before God, can the Fraternity reject the doubtful sacraments of the new Church only to replace them with doubtful priests? How grave a sin this is! How false a pretense! Furthermore the Fraternity in the Southwest District has begun to import to the United States priests whose theological training and manner of ordination are under a similar cloud. As Your Grace knows, this has been a source of scandal.

The employment of such priests strikes at the heart of one of the reasons for the Fraternity's existence: to provide unquestionably valid sacraments for the faithful – for if a positive doubt exists as to the validity of a priest's ordination, not only are the sacraments he administers doubtful, but the faithful are put into a position by the Fraternity of choosing between the doubtful sacraments of the new Church and the doubtful priests of the Society. From the standpoint of Catholic morality this is inadmissible.

3. Liturgical Changes

The First General Chapter of the Fraternity, held at Ecône in 1976, adopted the principle that the Districts and the Houses of Formation should follow the Missal, Breviary, Calendar and Rubrics which were customary at that time. This decision was never rescinded or even discussed at the Second General Chapter held last year at which your successor was selected.

In the case of the United States, we have always followed the Missal, Breviary, Calendar and Rubrics of our holy patron, Pope St. Pius X, which practice was sanctioned by the First General Chapter. Of late, however, an attempt has been made to force all the priests and seminarians in the United States to accept the liturgical reforms of Pope John XXIII on the grounds of uniformity and loyalty to the Fraternity, thereby implying that adherence to the non-reformed traditional Rites of St. Pius X constitutes disloyalty. Can it

be that the Fraternity has come to look upon loyalty to tradition as disloyalty to the Fraternity? Most recently, to our shock and dismay, a newly-ordained priest was given an ultimatum – either to accept the reforms of John XXIII and to begin saying Mass according to the John XXIII missal or to leave the Fraternity. Is it possible that the Fraternity which has been persecuted because of its loyalty to tradition now persecutes priests for their loyalty to tradition? What has happened? Can it be that the Fraternity now uses the same tactic which the reforming hierarchy used to impose the reform that has destroyed our people and our churches? Is not this, in the light of recent history, beyond belief? Would we not be far more guilty in accepting this first step than the priests of twenty years ago who did not have the historical precedent that we have before our eyes?

As you well know, John XXIII made his original changes as merely temporary steps in preparation for Vatican II. Father Kelly wrote to you of this matter last year when it was announced that you would strive to introduce the reforms of John XXIII in the United States. To quote from Father Kelly's letter of March 23, 1982:

It seems to me that the very nature of *Rubricarum Instructum* is a temporary one, and, of course, it only remained in vigor for four years. Thus in its text, John XXIII said that his reform of July 25, 1960 was made with the understanding "that the more important principles governing a general liturgical reform should be laid before the members of the hierarchy at the forthcoming ecumenical council," which he said he decided to convene "under the inspiration of God." It is not difficult, then, for it to be seen as the type of gradualism which eventually embraced the reform.

Our people would be shocked by any liturgical change. To introduce a change in the direction of the Council would be seen as one step toward the changes of the 1960's. We simply could not stand up in front of our congregations and tell them that we were abandoning the Missal, Calendar and Breviary of our Holy Patron, St. Pius X, for that of John XXIII – one, the greatest pope of the century, the other, the originator of the *aggiornamento* whose effects remain with us today.

In our opinion, for us to accept the Missal, Breviary, Calendar and Rubrics of John XXIII would be to accept the first steps toward the "liturgical reform" of Vatican II, which steps lead gradually to the New Mass, and such would be the way the laity in America would interpret it.

Furthermore, and with all due respect, religious superiors do not, under the canons and traditions of the Church, have any power to legislate in liturgical matters. Such power belongs to the Roman Pontiffs who are themselves limited. For though the power of a pope is very great, it is neither arbitrary nor unrestricted. "The pope," as Cardinal Hergenroether once said, "is circumscribed by the consciousness of the necessity of making a righteous and beneficial use of the duties attached to his privileges. - - He is also circumscribed by the spirit and practice of the Church, by the respect due to General Councils and to ancient statutes and customs, by the rights of bishops, by his relation with civil powers, by the traditional mild tone of government indicated by the aim of the institution of the papacy - to 'feed' - ... " (Quoted in *The Catholic Encyclopedia* (1913), "Pope", vol. XII, pp. 269-270) Thus obedience in matters liturgical belongs to a religious superior only insofar as what he demands is demanded by the Church and the legitimate demands of a Roman Pontiff.

4. Dismissal of Priests

Over the past few years, a considerable number of priests have been threatened with expulsion from the Fraternity. Some have actually been expelled. No provision was made for the support of such priests. They were simply expelled and the Fraternity washed its hands of them. It is indeed a flagrant violation of tradition, of the spirit of the Council of Trent and of the Code of Canon Law, and has always led to untold abuses and scandal to souls. While it may be true that we live in difficult times and the letter of the law cannot always be followed, nevertheless this is no excuse to disregard the spirit of the law in the creation of "untitled" priests.

As you know, "The canonical title is a surety for the decent maintenance of the cleric in perpetuity." (Ramstein, *Manual of Canon Law*, Terminal Print. and Pub., 1948, p. 432.) Canon 979, paragraph #2 of the Code of Canon Law states that "This title must be both securely guaranteed for the entire life of the candidate and fully adequate for a becoming livelihood..." And canon 980, paragraph #2 says: "If, without an Apostolic indult, anyone shall deliberately promote or permit the promotion to sacred orders of a subject who lacks a canonical title, he and his successors are bound to provide the latter...." "Alexander III, in the Third Lateran Council, condemned bishops who should ordain deacons and priests without a title, to support such priests from the episcopal table..." The Council of Trent maintained the necessity of the "Title of Ordination" (Session XXI, Chapter 2), and "The Congregation of Propaganda in a response to the Bishop of Natchez, 4 February, 1873, shows clearly that the priest cannot be deprived of his means of support. - - Grave offenses committed by him such as may even justify his deposition from office, will not warrant the bishop in refusing him means of support." (*Catholic Encyclopedia*, "Alimentation", vol. 1, p. 313.) So ancient is this tradition of "Title" that some trace it to the Council of Chalcedon in 451. All admit that since the 11th century it has had exactly the same meaning as it has in our day. Is it the Fraternity that will abandon the spirit of this tradition?

This is a most lamentable practice which contradicts ancient traditions and laws of the Church. Furthermore, this mode of action by the Fraternity implies that conformity to the statutes is replaced by conformity to the whims of superiors as the norm of right behavior. A dramatic example of this is Your Grace's recent ultimatum to a newly-ordained priest in which you threaten him with expulsion because he would not incorporate into his Masses the reforms of John XXIII. One might well wonder: "Where in the statutes of the Fraternity does it say that the liturgical norm for the Fraternity is the reform of John XXIII?"

5. Magisterial Authority

The present situation in the Church has generated many unprecedented problems of a theological and practical nature – for example the question of the *in se* validity or invalidity of the New Mass, as opposed to the question of the attendance at the New Mass. On the one hand, the definitive resolution of speculative theological questions must await the restoration of normalcy in the Church. On the other hand, we must apply Catholic moral and dogmatic principles to practical problems.

The Fraternity must not presume to settle such speculative questions in an authoritative and definitive fashion, since it has absolutely no authority to do so. Any attempt by the Fraternity to teach and impose its conclusions on matters of speculative theology as the only positions suitable for a Catholic to embrace is dangerous and opens the door to great evils – for it assumes a magisterial authority which belongs not to it but to the Church alone. Now while in theory the Fraternity may deny any claim to such teaching authority, in practice it has acted as though it did have such an authority. For it has proposed solutions to speculative theological questions and has threatened with expulsion or has actually expelled priests and seminarians who disagree with its teaching.

For example on Nov. 8, 1982 a young priest received the following ultimatum on the resolution of a matter of speculative theology: “If you remain with our Society, you have to gradually clarify your inner viewpoint and have to return to the attitude of the Priestly Society, which seems to us to be the only right one, under the given circumstances, as a talk with theologians this past weekend has shown me again. Think about it seriously, because with this decision your temporal and so much more your eternal welfare is at stake to the highest degree. I will continue to pray for you for divine enlightenment and humble submission.” Is this a threat of excommunication by a pope to a subject embracing heresy? Does not the prediction and threat of temporal and

eternal ruination for a refusal to assent internally indicate the highest teaching and ruling authority? But alas this is not a pope speaking. These are the words instead of Father Franz Schmidberger, himself a young priest ordained in 1975 by Your Grace who will succeed you as head of the Fraternity, and who presumes to teach and threaten with such authority. This is inadmissible!

To act in such a way puts the Fraternity in the dangerous position of assuming for itself rights and authority which belong to the Magisterium alone. It creates the potential for schism and worse. It is unacceptable from a Catholic point of view. The Catholic thing to do would be for the Fraternity to refrain from attempting to bind the consciences of its members on speculative theological questions which are, in fact, open to discussion, and which can only be settled definitively by legitimate authority when the traditions have been restored.

6. Loyalty

The fundamental reason for the Fraternity's existence is to promote loyalty to the Church and her teachings. Unfortunately, it seems that the distinction between the primary loyalty which we owe to the Church and the subordinate loyalty we give to the Fraternity has become somewhat blurred in the practical order.

Priests, seminarians, and the faithful associate themselves with the Fraternity to the extent that the Fraternity is loyal to Tradition; they associate with it because they want the traditional Mass, the traditional sacraments and the traditional teachings and practices of the Church. The trust we have received from them is based on this. It is the trust under which we have labored in the United States these past ten years. We have received this trust from them in a true contractual sense. The support we have asked from them and received was a conditional support. The condition was that we be loyal to Tradition and the people would be loyal to us. It is not loyalty to persons or organizations, but

loyalty to the Church and her traditions that counts in their eyes. We believe it should be the practice of the Fraternity to avoid giving the impression that loyalty to the Fraternity is on the same level as loyalty to the traditions of the Church and the Church itself. We priests cannot propose loyalty to the Fraternity as equal in value to loyalty to the traditional rites and doctrines. Therefore, the primary motive of everything we do is loyalty to the Church. To the extent that any organization, including the Fraternity, would do things which conflict with the traditions and immemorial practices of the Church, to that extent we reject these things without hesitation or reservation.

7. Annulments

The Fraternity has recently enunciated a general policy whereby it would presume the validity of the new Church annulments without investigation. The only outcome of following such a policy will be serious public scandal, grave damage to family life and complicity with the new Church in its attack on the holy sacrament of Matrimony. In answer to an inquiry from a layman concerning the status of his second marriage (which we know to be invalid), the Secretary General of the Fraternity responded as follows:

On behalf of His Grace Archbishop Marcel Lefebvre I thank you for your letter of July 23, to which he has given due attention.

His Grace thinks that in spite of all, one should adhere to the decision taken by the Church. Although one may deplore that the Church declares marriages invalid too easily nowadays, we cannot affirm in a special case, without any serious reason, that a declaration of invalidity is not valid. Thus you may go on receiving the sacraments and have a Christian family life.

Since no investigation was made by Your Grace or by the Secretary General, and since no grounds for the conciliar annulment were mentioned in the original letter of inquiry, the meaning is clear both from the words and the context.

And that meaning is that presumption is to be given in favor of the Conciliar Church's annulments until the contrary is proved. This is a tragic error, for the Conciliar Church has proved its contempt for the sacrament of Matrimony by its actions. Before the world the Church is held up to ridicule because of the annulment practices of the Conciliar Church, which are more contemptible than the actions taken against marriage by secular tribunals. The policy of the Fraternity must be to presume the invalidity of *all* the Conciliar Church's annulments until it is proved by traditional Catholic standards that the marriage annulled was clearly invalid from the beginning.

To deal with such serious and sacred things in any other manner attacks the sacrament, makes light of one of the most serious and involved processes of the Church, poses a danger to present marriages, is a scandal to people who suffer much because of their respect for the sacrament and most especially is a mockery of those who have lived out their lives in perfect chastity in loyalty to the doctrine of the indissolubility of Christian marriage.

In the light of the foregoing, we respectfully petition Your Grace and the General Council of the Fraternity to adopt the following resolutions for the good of souls and the Fraternity.

Resolutions

1. Priests doubtfully ordained, i.e., according to the New Rite of Ordination, as well as schismatic priests or bishops, and priests of questionable moral character, will be excluded from working with the Fraternity anywhere in the world.

2. The liturgy of Saint Pius X will be restored at Saint Thomas Aquinas Seminary in Ridgefield, and a perpetual guarantee shall be given for its exclusive use there and in the chapels associated with the Frater-

nity throughout the United States, which guarantee shall be enforced by legal covenants.

3. Concerning the discipline governing the priests of the Fraternity: insofar as it is possible, the letter, and in all cases the spirit, of the traditions of the Church, the decrees of the Council of Trent and the 1917 Code of Canon Law will be followed. The practice of the Fraternity of creating, in effect, untitled and unattached priests shall come to an end. And should it be impossible to follow the letter of the law in these matters, the spirit of the law shall be rigorously adhered to.

4. Respect for the magisterial authority of the Church as the *sole* arbiter of theological questions shall be enforced. Therefore, the Fraternity shall faithfully adhere to the teachings of the Church but shall never usurp that teaching authority by attempting to settle definitively questions of speculative theology. Neither shall it attempt to elicit, by threats of expulsion or any other threats, internal assent to the opinions of its superiors.

5. The Fraternity recognizes and accepts the principle that our loyalty to it is subordinate to loyalty to the Church and its traditions.

6. Because of the reckless disregard of the Conciliar Church for the sanctity of matrimony and its sinful and scandalous policy of granting annulments, the Fraternity presumes the invalidity of *all* annulments granted by the Conciliar Church until it can be demonstrated beyond any reasonable doubt that the marriage bond of the annulled marriage did not exist in the first place. For according to canon 1014 of the Code of Canon Law, "Marriage enjoys the favor of the law; consequently in doubt the validity of the marriage must be maintained until the contrary is proved...."

Conclusion

In the Apostolic Constitution by which he convoked the Council, John XXIII spoke of his expectation of “a return of unity and of peace.” Instead, his reform brought ruination upon the Church.

Would that John XXIII had been mindful of the words of Gregory XVI: “that every novelty attempts to undermine the Universal Church.” Instead, he instituted a reform that was, to use words of Gregory XVI, “the height of absurdity and outrage” towards the Church. For it was “to pretend that a restoration and regeneration have become necessary to secure its existence and its progress; as if it could be believed that it was thus subject to faintness, darkness, or other alterations of this kind.” (*Mirari vos*)

The reform of John XXIII could do nothing but bring ruin because it departed from tradition. With this before our eyes, there can be no excuse if we repeat the mistake of Catholics of the sixties. For them one can at least understand how they were led away from tradition into the new religion by a process of gradualism and servile submission. They were assured that they were being obedient children heeding the voice of their shepherds and the chief shepherd himself, the Pope. It was inconceivable that the Vicar of Christ would set the Church on a path that would result in the betrayal of tradition and the ruination of millions. And so Catholics submitted to the process.

We write out of concern for the salvation of souls and the glory of God. There can be no question as to our motives. Witness the growth of the apostolate in the United States over the past ten years with a mere handful of priests – from saying Mass in a garage in Wantagh, N.Y., to the churches and chapels, Mass centers, and increased numbers of the faithful, schools, retreats, missions, summer camps, educational endeavors, the seminary, etc. – this demonstrates in a concrete way our loyalty and fidelity to the reason for which the Fraternity was founded in the beginning. And we hope and pray that these problems will be resolved, in order

to insure that the flourishing growth of the Fraternity in the United States may continue in peace and true unity.

For us, over twenty years later, with history before our eyes, there can be no excuse for accepting the first steps of the process of reform. Neither can we sanction practices which amount to a rejection of sacred traditions. We are fearful both for the future of the Fraternity and the good of souls. And so we take this opportunity to present to Your Grace and the General Council our concerns and the above resolutions.

We are resolved to continue the work for which we were ordained and for which we have received the trust of the faithful. This we intend to do in all tranquility even if the Fraternity should abandon us or that trust.

In Jesu et Maria,

(Rev.) Clarence Kelly
Superior, N.E. District

(Rev.) Donald J. Sanborn
Rector, St. Thomas Aquinas Seminary

(Rev.) Daniel L. Dolan
(Rev.) Anthony Cekada
(Rev.) William W. Jenkins
(Rev.) Eugene Berry
(Rev.) Martin P. Skierka
(Rev.) Joseph Collins
(Rev.) Thomas P. Zapp

FIGHTING SCRUPULOSITY

Rev. Anthony Cekada

1985

This pamphlet will help you if you have difficulties with scrupulosity. It contains some special advice for the scrupulous.

Signs of Scrupulosity

1. Fear you are committing sin while doing things even devout people don't find sinful.
2. Frequently changing your mind for trivial reasons (or no reasons at all) about whether something is sinful; one minute you think something *is not* sinful and the next minute you think it *is* sinful.
3. Constant worry or anxiety about sin, without being able to figure out a reason for the worry.
4. Constant worry about your confessions, even though the priest has told you that there was nothing wrong with them.
5. Stubbornness with the priest in confession – thinking that you are right about something being sinful and that he is wrong – which leads you to go to a lot of different priests for confession, without really heeding the advice or instructions you receive from any of them.
6. Repeatedly asking whether or not an action is sinful, even though the priest has told you the answer to the question before.
7. Repeatedly confessing as sins – “just in case” – things which the priest has told you are not sins.

Some Helps

1. Think of scruples as a disease you have to get rid of. Resolve to get rid of them with the help of the priest.
2. Ask God to help you get rid of scruples. Say a special prayer for this intention every day.
3. Hate scruples and act against them. Don't think about things which give you scruples.
4. Look upon God as supremely good and as a loving Father.
5. Say your Morning Offering every day and offer all you do during that day in advance to God.
6. In your daily prayers, thank God for all the wonderful things He has given you: family, friends, temporal blessings, etc. Thank Him for being able to get to Mass and Holy Communion. Thank Him for being able to go to confession where He shows His mercy and love for us in a special way.
7. Avoid idleness. When alone and plagued by scruples, distract yourself by doing something which will otherwise occupy your mind.
8. Let the priest do the worrying for you for the time being.
9. Remember that scrupulosity can be overcome with patience and prayer.
10. *Memorize* the following rules:
 - a. I must hate my scruples.
 - b. I am permitted to do anything I see devout people do.
 - c. I have not committed a mortal sin unless there was *no doubt* that it was a mortal sin.

- d. I am not obliged to confess anything unless there is *no doubt* that it was a mortal sin.
- e. I must accept these rules and follow the advice the priest gives me.

Going to Confession

1. Examine your conscience beforehand, but *for only five minutes*.
2. Tell the priest you have a problem with scrupulosity.
3. *Do not* mention a past sin, unless you are
 - a. Absolutely sure it was a mortal sin *and*
 - b. Absolutely sure you never confessed it.
4. *Always* trust the priest.
5. *Never* confess a doubtful sin.
6. If the priest tells you that something you have thought, said or done is not a sin, *believe him* and don't worry about it.
7. Confess *only* the species (kind) and number of mortal sins. If you don't know the exact number, give only an approximate number.
8. If you have no mortal sins to confess, confess *one or two types* of venial sins you have committed.
9. *Accept* the priest's judgment about whether or not something is sinful.
10. *Do* what the priest tells you to do. You must obey the priest.

Going to Communion

1. Just having a *doubt* about whether or not you committed a mortal sin should not keep you away from Holy Communion. Doubts are not sins.
2. Unless you are *absolutely sure* you are in the state of mortal sin, make an Act of Contrition and go to Communion.

Finally

Never become discouraged. God loves you. He is infinitely good and infinitely merciful towards you. He wants you to be happy forever with Him in heaven, and he left the sacraments of Penance and the Holy Eucharist to help you to get to heaven. With His help, you can overcome the scruples which trouble you.

Go in peace.

LETTER TO TEN-YEAR-OLDS WHO JUST WANT TO BE CONFIRMED

Rev. Anthony Cekada

March 1990

Introductory note: *In the 1980s, the District Superior of the Society of St. Pius X (SSPX) in the U.S., Fr. François Laisney, laid down the rule that if a child coming from a chapel operated by ex-SSPX clergy wished to receive confirmation, the child would have to sign a lengthy "Declaration."*

Dear Children:

You know how hard it is to be a good Catholic and to do what Jesus wants. You have to work a lot to learn your catechism. You have to stand up for your faith when other children your age want to do something bad. You have to get up very early every Sunday and ride a long way with Mom and Dad to get to Mass.

Now you'd like to be confirmed, so you can be "a strong and perfect Christian, and soldier of Jesus Christ." Since you can't receive Confirmation at the chapel where I say Mass, Mom and Dad took you over to another chapel where a bishop will come to confirm. The priest there, and the bishop who will confirm you, belong to an organization called "The Society of St. Pius X."

All the Catholic Church requires for Confirmation is that you know your catechism. But the Society of St. Pius X is different. Since you usually come to church where I say Mass, the Society of St. Pius X wants you to sign a special "Declaration" before they will let you be confirmed. The Declaration is two pages long, typed and single-spaced – a lot to read if you're ten! It contains some long Latin phrases and many things which are hard for you to figure out. Don't feel bad, though! I studied for twelve years to be a priest, and I can't figure out a lot of things in the Declaration either!

Let's look at some of the things in the Declaration the So-

ciety of St. Pius X asked you to sign and see if we can figure them out together! Here's how it begins:

I, _____, the undersigned, wholeheartedly agree and adhere to all and each of the following catholic principles (and historical facts):

Hard to understand, right? Not even *I* know how someone can “agree and adhere” to a “historical fact”! Facts are just there – whether a person wants to “agree and adhere” to them or not! And I’ll bet you’re wondering about the word “historical,” too. You’ve only studied a year or two of history in grade school so far, and think, “Gee, how can *I* know what’s historical? I’m only a *kid*!”

To depart from these moral virtues under the pretext of fidelity to the Faith when Faith is not at stake, is in fact a departure from Catholic Tradition.

Sort of confusing! Makes a person think he can “depart from these moral virtues” when fidelity to the faith *is* at stake. But even a very young Catholic knows you can’t do that!

Among the evangelical counsels, which the religious make profession to practice, the most important is that of obedience. Humility is an essential virtue of capital importance to the religious life.

No, you haven’t forgotten something. There was nothing in your confirmation catechism about how members of religious orders (nuns and brothers) take vows. Bet you’re surprised you have to know *that* to get confirmed!

So the Tradition of the Church is the transmission of the spirit of Faith “*in eodem sensu et eadem sententia*”.

Hard to know if you “adhere and agree” to that or not, since it’s Latin and you won’t be studying Latin till you’re in junior

high! (Maybe, though, if you're an altar boy, you can at least learn how to pronounce it.)

Popes and bishops introduced many things in the Liturgy in the first thousand years. Almost ALL the Popes after Pope St. Pius V have used this power, either to introduce new propers, to change propers, to add to the common of the Mass such as the prayers after low Mass.

You're thinking: What question was this in my catechism? Will it be on the test? And if you're one of my altar boys, you're wondering: What's the *common* of the Mass? Is it like the Ordinary or the Proper? Is there a new part I don't know about?

St. Pius X made even more drastic changes in the Breviary, which is an essential part of the Catholic Liturgy, in which he cut more than 40 psalms in more than 120 pieces!

Very confusing if you're ten! What's a Breviary? Why do I have to agree that St. Pius X changed it if I want to get confirmed? What's a Psalm? Are Psalms in the Liturgy or the Breviary? Was *each* Psalm cut up "in more than 120 pieces"?

The rubrics prepared by Pope Pius XII and promulgated by Pope John XXIII, in which no one word of the Proper of the Mass has been changed, are in perfect conformity with the Catholic faith.

Father is confused by this too! Rubrics "prepared" by one pope and "promulgated" by another? What does that mean? Did Pope Pius prepare the "rubrics" all by himself? And those who are not altar boys wonder: What are "rubrics"? Were they in the confirmation catechism?

The spirit of "independence" is not a catholic spirit; faithful must be subject to a priest; priests must be subject to a bishop, and the bishops must be subject to the Pope.

Mom and Dad probably wonder about this too, since this doesn't sound like the Society of St. Pius X *they* know – where priests are superiors to bishops, and where bishops, instead of being “subject to the Pope,” are excommunicated by him. The Society of St. Pius X sounds pretty independent, doesn't it?

The (1917) Canon Law explicitly says: *quemlibet clericum oportet esse vel alicui diocesi vel alicui religioni adscriptum, ita ut CLERICI VAGI NULLATENUS ADMITTANTUR*. (Can 111) “independent priests (who do not belong to any diocese nor any religious society) are absolutely not admissible”. *Prima Sedes a nemine judicatur* (Can 1556). The pope is judged by no-one (here below). No one is entitled to set himself as judge of the Pope. In case of doubt, the benefit of doubt should be given to the authority. Prayers for him are more useful than criticisms.

Still more Latin! (I'll bet Mom and Dad didn't have to sign declarations with Latin and Canon Law quotes when *they* were confirmed.) And still more confusion: Does this mean that when the Society of St. Pius X called the pope “an anti-christ,” it wasn't judging him? Was it giving him “the benefit of the doubt”? Was this really a prayer for him, instead of a criticism? What do *you* think?

Under the Pope - - the Bishops in good standing are the successors of the Apostles; they are the *Ecclesia Docens* (Teaching Church) while priests and faithful are *Ecclesia Discens* (Taught Church).

And again more Latin! Is the bishop who will confirm you “under the Pope - - in good standing”? If you wrote to the Vatican, what would *they* say?

* * * * *

So, I guess you're wondering: If the Declaration is so confusing, why does the Society of St. Pius X want me, a ten-year-old, to sign it before I get confirmed? As you get older, I

think, you will understand.

The Catholic Church is in very bad shape. Only a handful of priests and laymen have remained faithful to the Church's teachings and traditions, but no bishop, priest or group of priests has any real authority (authority from a pope) to guide all these people and to make decisions which all Catholics have to follow. So Catholics just have to try to do the best they can.

Sometimes, though, someone will come up with a theory or opinion which he thinks *every Catholic* must accept as true, or part of the faith – even though *it's just his own idea*. He then wants to force every other Catholic in the world to do or believe exactly what he says. He may even believe that his idea, or his group, is the *only hope* for the Catholic Church in these difficult times.

I call this the "Follow me or die!" approach to our faith. It says: If you don't follow the idea of Father X or Bishop Y or the Society of Z exactly (on the pope or the Mass or canon law, for example) you can't even *think* you're a Catholic, much less expect them to give you the sacraments.

The two-page Declaration the Society of St. Pius X wants you to sign would have been a lot easier for you and your parents to understand (and a lot more honest), if it had read simply: "Follow us or die!" (The Society could have even put it in Latin: *Aut sequi, aut mori!*) In other words: "Accept all our opinions, even if they make no sense, or even if you can't understand them, and sign on the dotted line, because *we've* got it all figured out! Reject them and forget about getting the sacraments from us." Sad to say, the Society isn't the only group that works this way.

But don't worry too much about all this now. By praying hard and studying your faith, God will help you to understand things better one day, and He will grant you the grace to be a faithful soldier of His Son.

God bless you!

- Father Cekada

A QUESTION OF AUTHORITY

Beware Him Who Says: "Follow Me or Die!"

Rev. Anthony Cekada

June 1990

A few weeks ago, I was invited to attend a conclave and help elect a pope.

Thirty years ago, the offer would have been irresistible, but these days any traditional Catholic priest whose name appears on a number of mailing lists receives at least one such invitation a year. This year's conclave will convene somewhere in Kansas during July. Needless to say, I plan to be elsewhere.

A home-made conclave strikes us as bizarre or even comical. Who are these people in Kansas – last year, it was Canada – to elect the Successor of Peter and Christ's Vicar on earth? Why propose such nonsense?

The outlandish example, nevertheless, illustrates a very real dilemma which traditional Catholics face: The Church's very nature is hierarchical, founded on an authority which comes from Christ Himself. But where do we turn when men of the Church in positions of authority defect from the faith, as happened in our own time? How then do we resolve pressing issues in, say, theology or canon law or pastoral practice – questions which only someone with real authority can resolve?

The organizers of the Kansas conclave would answer: It's simple; elect a pope. Once you've got a pope, you're home free. He'll have supreme authority, he'll appoint a Catholic hierarchy, and he'll resolve all the questions.

A Holding Action

Most Catholics who are attempting to preserve the traditional Mass and the integral Catholic faith, clergy and laity alike, instinctively recognize the folly of the conclavists' extreme enterprise. We understand, at least implicitly, that

our efforts are but a “holding action” to save as many souls as we can until better days arrive. And most of us realize, again at least implicitly, that it would be gravely wrong – indeed, manifestly schismatic – to set up a parallel “hierarchy” on our own by endowing some person or organization with “authority” to be our magisterium, supreme lawmaker, and universal judge.

No traditional clergyman, remember, be he priest or even bishop, possesses ordinary jurisdiction – power from the Church to command subjects, make laws, interpret them authoritatively, conduct trials, issue judgements, settle legal disputes, and inflict canonical penalties. Church law grants ordinary jurisdiction only to individuals formally appointed to specific offices: to a bishop, for instance, whom the pope names as head of a diocese, or to a priest whom the head of a diocese officially designates a pastor, or to another priest whom the pope appoints judge in an ecclesiastical tribunal.

Unlike these officials, a priest or bishop who celebrates the traditional Mass enjoys only supplied jurisdiction – in essence, just enough power to dispense the sacraments.

Presenting... “Autsequism”!

Traditional Catholic clergymen acknowledge the narrow scope of their authority – usually. However, a priest (or bishop or even a layman) can easily step over the line, when, on one particular issue say, he acts as if he were an authoritative teacher, lawmaker and judge by inflicting the equivalent of ecclesiastical penalties on those who cross him.

This I call the “Follow-me-or-die!” syndrome – or to give it a more formal name, “autsequism” (from *aut sequi*, *aut mori*, the Latin rendering of the phrase).

The syndrome works this way: Father W (or Writer X, or Bishop Y, or the Society of Z, for that matter) looks at a disputed theological question or a sticky problem of how to apply the norms of Canon Law or pastoral practice in a given situation. He marshals some principles (so far, so good), gathers evidence (a reasonable step), arrives at some con-

clusion (fair enough, one hopes), and then jumps to condemn all clergy and layfolk who disagree with his solution as, variously, heretics, schismatics, sinners or generic reprobates acting in complete bad faith and therefore to be avoided. (Whoa!)

It is in the final phase of the process – arrogating to himself the authority to inflict a penalty for non-assent – where the perpetrator exceeds his jurisdictional speed limit and careens off into the world of follow-me-or-die.

Some Follow-Me-or-Die Issues Autsequism has been on the traditionalist scene for a long time and rears its head in numerous guises:

- Various non-sedevacantist groups declaring sedevacantist groups “schismatic,” and to be avoided.
- Various sedevacantist groups and priests declaring non-sedevacantist groups heretical or schismatic, and equally to be avoided.
- A priest in Pennsylvania issuing a letter of “excommunication” to an obnoxious layman.
- A priest on the West Coast announcing that members of the Birch Society were barred from receiving the sacraments in his church.
- A group of traditionalist sisters, who themselves enjoy no canonical recognition, declaring a former member’s renewal of vows “sacrilegious” and “uncanonical.”
- A lay group in the Middle West requiring a guest priest to ascribe in writing to their position on the pope before they allow him to perform a wedding in their church.

To understand fully the consequences of the follow-me-or-die syndrome, it’s best to look at some cases a bit more closely. Two recent manifestations, encountered of late in my own pastoral experience, are perfect for this purpose. Both concern the conditions required for the reception or administration of the sacraments.

Suffer the Children

Children who assist at Mass in the chapels I serve have no access to a bishop who will confirm them with the traditional rite. Some parents, therefore, bring their children to one of the chapels operated by the Society of St. Pius X, when one of the Society's bishops makes his yearly rounds. One would think that the Society would not object to this – after all, it seems desirable that as many children as possible receive this sacrament. But one would think wrong, and therein lies a story.

Archbishop Marcel Lefebvre, the founder of the Society, ordained me a priest in 1977. Some years later, in 1983, I was among a group of nine American priests who, among other things, refused to implement a series of liturgical changes he proposed and who declined to accept certain of his private theological opinions. (Though His Grace is a bishop, he is not the head of a diocese, and hence enjoys no jurisdiction from the pope to make and enforce laws.) This led to a parting of the ways between His Grace and the nine of us, and there the matter remains.

Plenty to Declare

Seven years later, in 1990, some families who assist at my Masses presented their children for Confirmation at a chapel one of the Society's bishops was to visit. The priest in charge, in turn, presented them with a two-page, single-spaced Declaration for their children to sign as a condition for the reception of Confirmation. The purpose of the Declaration (which combines heavy doses of theological terminology, execrable English, and Latin quotes from the Code of Canon Law – for ten-year-olds, mind you!) was to force candidates (a) to repudiate theological opinions which the Society thinks I hold, and (b) to accept the theological positions which the Society holds (or thinks it holds – a bit tricky this).

Outrage, of course, is the proper reaction. But analyze the thought processes which lead to this “extra” requirement:

The Society has drawn its conclusions on certain theological, rubrical or canonical questions. Fine. These opinions, the Society feels, are diametrically opposed to those of Father Cekada, whom the Society considers to be dead wrong. Fine, and no surprise to me. But then, by presenting a Declaration to the confirmands, the Society proceeds to threaten those who may not share its conclusions with the equivalent of an ecclesiastical penalty: Accept our principles, evidence, conclusions and judgements on all points by signing this Declaration, or be denied a sacrament.

The Society, thus, sets itself up like an *ad hoc* mini-magisterium, lawmaker and ecclesiastical judge with power to enforce its will – Follow me or die, in other words.

Error and Correction

For nearly a year now, I have been functioning as de facto “pastor” of St. Clare’s Mission in Columbus, Ohio, where I travel every Sunday to celebrate Mass. Among the souls now worshipping there are some lay people who, at various points and in differing degrees, became supporters of an institution in Spokane, Washington called Mount St. Michael’s. The St. Michael’s group was founded by Francis Schuckardt, a lay preacher of the Fatima Message who in the 1960’s gathered together a group of enthusiastic followers, and bit by bit, proceeded to construct for himself what I can only describe as a classic personality cult. In 1970, Schuckardt had a married Old Catholic “bishop,” one Daniel Q. Brown, consecrate him a “bishop.” (“Old Catholic” is a generic term for a number of schismatic sects originating in the 17th and 19th centuries.)

Despite this, Schuckardt’s magnetic personality, eloquence and emphasis on the traditional Mass and Marian piety gained many lay adherents for his movement in various parts of the U.S. over the years. Given the average layman’s ignorance of the Old Catholic movement’s schismatic nature – I have more than once met other traditional Catholics who have unwittingly gotten mixed up with Old

Catholicism – it is only fair to assume that most people followed along in good faith with no thought at all of getting involved with the Old Catholic schism.

In the early 1980's, some senior members of the group, by then located in Spokane, forced Schuckardt out, and apparently began the process of trying to set things aright. On April 23, 1985, the group abjured its errors, and has circulated at least two public statements attesting to the fact. The new leadership, moreover, has stated that the group was formerly a "cult," that the members want only to be good traditional Catholics and that the leadership wants to bring everything they do into line with traditional Catholic beliefs and practices.

Now once again, one would think that all would rejoice at the outcome – abjuration, renunciation of past errors, determination just to be good Catholics and so on. But again, one would think wrong, and again, therein lies another story.

An Unexpected Letter

Recently, I received a lengthy and unexpected letter from Rev. Clarence Kelly, a priest with whom I formerly worked in Oyster Bay Cove, New York, but with whom I have had no connection since July, 1989.

In a nutshell, Father: (a) Condemns the misdeeds of Francis Schuckardt, particularly his involvement with Old Catholics – something I did years ago, by the way, in a lengthy article I wrote on the Old Catholic movement. (b) Dismisses as "insincere" or "contrived" (based on standards of his own creation, alas!) the abjuration of error and the other public recantations the group and its leaders made after Schuckardt's expulsion. (c) Presumes that everyone ever associated with Mount St. Michael's, including families two thousand miles away in Columbus, acted in complete bad faith (i.e., knowing involvement with Old Catholics was wrong or schismatic, but going along with it anyway), and (d) Concludes that everyone connected with St. Michael's is really still part of "an Old Catholic sect."

But why, the reader will ask, is Father Kelly writing to you about it, Father Cekada, since you have no connection whatsoever with either Father Kelly or Mount St. Michael's? Well, having weighed the matter and arrived at his conclusion, Father Kelly wrote to inform me of his decision that I, Father Cekada, must now (a) regard some of my parishioners as unrepentant schismatics and (b) deny them the sacraments. If I do otherwise, I "scandalize and endanger their souls and faith," I "pollute the purity of the Catholic religion," and I become a wolf in sheep's clothing – language of the sort, please note, normally reserved to papal decrees pronouncing condemnatory sentences.

Examine the process by which he reached this practical conclusion: Father Kelly (who, like any other traditional priest or organization, possesses no juridical authority whatsoever) set up his own rules by which those whom he accused would be judged, and when (naturally) the accused didn't measure up, he found them all guilty as charged. He then imposed the penalty: some of your parishioners, Father Cekada, are to be denied the sacraments, and should you act otherwise, you're a threat to the Catholic religion and must be condemned publicly as such.

Thus like the Society of St. Pius X, Father Kelly, too, set himself up like an ad hoc mini-magisterium, lawmaker and ecclesiastical judge with power to enforce his will – Follow me or die, in other words.

The Faithful in Good Faith

An additional observation on both the foregoing cases is in order. No traditional organization or priest that I know of – and this includes both the Society and Father Kelly – requires formal declarations or abjurations from Novus ordo Catholics who "convert" and want to receive the traditional sacraments. The reasonable assumption behind this is that newcomers who claim to be Catholics and who are trying to act like Catholics – whatever their past involvement in the errors and depredations of the Conciliar religion – have: (a)

at least acted in good faith, and (b) been absolved of any censure they may have incurred, once they have gone to confession to a traditional priest. Given this assumption, it seems inimical to the salvation of souls – and just plain silly – to dream up “extra” requirements to impose on people who have rejected the Conciliar religion for years.

False Dilemmas

The follow-me-or-die syndrome has brought nothing but grief to a scattered flock trying desperately to preserve the faith under circumstances already adverse enough. Priests, bishops and organizations who have played the hierarchy have usually ended up inflicting on traditional Catholic groups and individuals false dilemmas, public discord, contrived crises of conscience, scandal, family strife, and a host of other evils – precisely the sort of things which drive people away from the true Mass rather than draw them to it.

While no one appreciates absolute certitude more than Catholics faithful to tradition, those of us responsible for shepherding the flocks must take care lest we invest pronouncements which are merely our opinions with the sort of authority that neither we nor our opinions possess. Not absolutely every theory, opinion or practical judgement we come up with, after all, is a matter of grace or guilt, salvation or perdition, heaven or hell. Should we pretend otherwise and start dishing out penalties all around, we (and not the targets of our ire) become the ones leading a slow waltz to schism.

Antidote to Autsequism

The antidote to autsequism is, I think, two-fold:

Acknowledge your limits: Whatever your opinion on any of the great issues traditional Catholics so often debate, remember that you have no authority from Christ and the Church to resolve it definitively, nor can you inflict censures on those who disagree with your conclusions.

Presume good will: Not everyone is as great a genius as you are in dogma, ecclesiology, canon law, church history, moral or whatever; naturally, your opponents cannot perceive the brilliance of your reasoning. But it might be nice (at least once in a while) to presume that they have some good will. Try it.

The follow-me-or-die syndrome probably won't disappear till God, in His good time, restores order throughout the Church. In the meantime, since disagree we must, let us pray for a bit more prudence and common sense.

MEASURE FOR MEASURE

Do the Prosecutors Apply Their Principles to Themselves?

Rev. Anthony Cekada

1990

For with what judgment you judge, you shall be judged; and with what measure you mete, it shall be measured to you again. (Mt. 7:2)

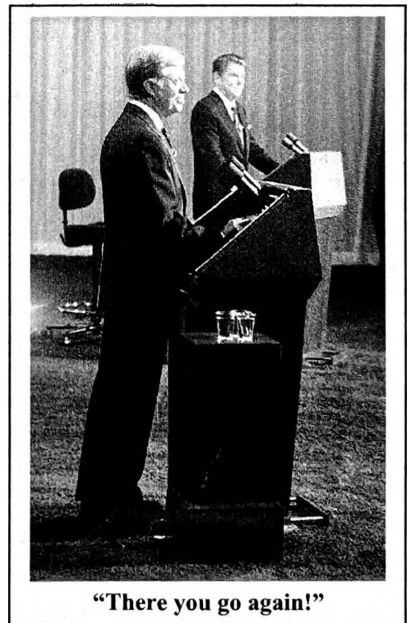
Before you're condemned for a crime, you get to question your accusers.

Americans didn't invent the principle. You can find it one way or another in the Old Testament, Roman law and the law of the Catholic Church.

My recent pamphlet, "A Question of Authority," pointed out how some traditional Catholic clergymen usurp the Church's power by, in effect, setting themselves up as law-makers, prosecutors and judges, and then dishing out excommunications all around. Divisions and conflicts ensue, of course – pointlessly, since the clergy who start them have as much judicial authority from the Church as names picked at random from your local White Pages.

Ignoring magisterial condemnations from such self-appointed prosecutors and judges is the ideal response. It doesn't always work, though. Sometimes they just get bolder and keep right on filling your mailbox each month with new indictments.

The most recent sentences handed down from the bench appear in Rev. Clarence Kelly's October 1990 *Bulletin*. As candidate Reagan used to say: "There you go again!"



The same old bromides against Mount St. Michael's and Archbishop Ngô-Dinh-Thuc (at least we know *his* name) have been launched, this time in resolution form. Our reaction as priests (and we deal with this sort of thing for a living) is a combination of ennui and embarrassment: Let it go, fellows – our eyes glaze over.

It is not that these issues do not merit a full and serious discussion. Of course they do. But the constant attacks and the aggressive meddling are demoralizing within our ranks and shameful without.

Then too, sympathize with the poor Spokane Catholics who are starting to wonder if a daily Abjuration of Error is required along with their Morning Offering. What's a Catholic to do?

The prosecutors have laid down some stringent standards for deciding who's a real Catholic and who's a real bishop. Without accepting these standards ourselves, let's ask the prosecution a series of questions based on the requirements they use to condemn others. Perhaps then they will abandon their apostolate of condemnation and leave us all in peace.

QUESTIONS FOR UNIVERSAL PROSECUTORS

“Communion with” schism and sacrilege

- Weren't you “in communion with” the Society of St. Pius X? Didn't Fr. Bolduc, a fellow Society member, allow Old Catholics to function for several months at St. Mary's while Fr. Kelly was SSPX District Superior? Afterwards, didn't Fr. Kelly fail to exact a public abjuration from Fr. Bolduc before letting him say Mass at Oyster Bay? Doesn't that put you “in communion with” someone who was in communion with schismatics and who had not abjured?
- Moreover, weren't you “in communion with” Archbishop Lefebvre? Didn't you know that the Archbishop allowed doubtfully-ordained *Novus Ordo* clergy to say Mass in the Society's chapels? Isn't it a fact that the Archbishop also gave

the Absolution at his brother's *Novus Ordo* funeral? Did you require an abjuration from the Archbishop before you let His Excellency say Mass at Oyster Bay? Or did you require his abjuration before you gave him the privilege of ordaining you? If not, didn't you thus tacitly condone sacrilege? And didn't that also thus put you "in communion with" the *Novus Ordo* and those doubtfully-ordained priests?

Involvement with "questionable bishops"

- Aren't you now "in communion with" someone called "Bishop Francis Gonzalez"?
- Isn't it a fact that the Vatican's official listing of Catholic bishops contains no such name?
- Isn't it also a fact that there *is* a "Bishop" Gonzalez from Arecibo, Puerto Rico who received his "orders" in a schismatic Brazilian sect whose founder was excommunicated by Pius XII? Didn't this schismatic "Bishop Gonzalez" write to Fr. Kelly a number of times and offer to work with him?
- Or is the "Bishop Gonzalez" you are now "in communion with" really Bishop Alfred Mendez? Did you apply your principles on "communion" to him?
- Hasn't he been raising funds over the years to support that hot-bed of heresy, Notre Dame University?
- Didn't he introduce the *Novus Ordo* in his diocese?
- Hasn't he been promoting a "Tridentine Ordinariate" which would put those who want the traditional Mass "in communion with" the heretics in the Conciliar Church?
- Didn't he offer to ordain Fr. Jenkins' father as a "permanent deacon"?
- Doesn't he still celebrate *Novus Ordo* weddings, and thus remain "in communion with" those who promote sacrilege and error?
- If "Bishop Gonzalez" is really Bishop Mendez, did you insist that he formally abjure his involvement with the Conciliar religion and refuse its adherents communion?
- Did the bishop kneel before one of you and recite the abjuration formula which would begin: "I, Bishop Alfred Men-

dez, have held and believed errors contrary to the Catholic Church and her teaching...”? Do you not insist that *other* traditional clergy are bound to exact such abjurations?

- Or by failing to exact this abjuration, wouldn't you now be “in communion with” the Notre Dame theology department and all the heretics in the Conciliar Church? Would Notre Dame clergy such as the pro-abortion Fr. Richard McBrien or Rockefeller internationalist / CFR member Fr. Theodore Hesburgh be welcome to function in your chapels?

Involvement with “secretly-ordained” clergy:

- Didn't you recently participate in “secret ordinations,” conducted by “Bishop Gonzalez,” the mystery prelate?

- According to principles you apply to the Thuc consecrations, isn't a rite conducted in secret automatically “doubtful”? And thus, by being “in communion with” the young men so ordained, aren't you promoting “doubtfully-ordained” priests? Shouldn't you, applying your own principles, be denouncing the putative priests as “doubtfully-ordained,” rather than holding celebrations in their honor?

- And if you should one day announce that the “Bishop Gonzalez” who performed the ordination ceremony was, in fact, Bishop Alfred Mendez, why should one believe you?

- Isn't it a fact that, when asked directly by William Oppelle, a fellow supporter of the “Tridentine Ordinariate,” Bishop Mendez *denied* performing any such ordinations? Does that not raise a “doubt”? Would you not denounce others for acting when confronted with such a doubt?

- Or if somehow it could be proved “with perfect moral certitude” that Bishop Mendez performed the ordination ceremony, what would that tell us about Bishop Mendez' credibility? Given his denial, would it not then be reasonable under your system to consider the bishop a liar or dissimulator? Could not such a liar or dissimulator also withhold his intention while externally going through the motions of performing an ordination rite? Don't you try to raise such issues about the Thuc consecrations? Wouldn't one, according to your principles, then be permitted to “doubt” that Bishop

Mendez had the correct intention when he performed the rite? Isn't it a fact that such a "doubt," under your system, would oblige people to treat the whole ordination as "doubtful," and stay away from those so ordained?

▪ Or would you explain Bishop Mendez' denial by saying it was a mere slip of the tongue? Under your system, though, wouldn't you then be obliged to question the bishop's mental capacity or claim that he is "senile"? Isn't that what you try to do with Archbishop Thuc? Would that not likewise render the ordination "doubtful"?

On the need to "abjure":

▪ Since you have – by the principles you apply to others – been "in communion with" schism, sacrilege, heresy and "doubtfully-ordained" clergymen, should you not make a formal public abjuration? Would not your own interpretation of church law require it?

▪ If you should abjure, should not someone several thousand miles away – the Mt. St. Michael's people, say – then have the right to attack your "sincerity"? Should they not then have the right to appoint themselves judge, jury and hangman for *you* in the same manner that you appointed yourselves judge, jury and hangman for *them*?

▪ And if you will not abjure, should not people avoid receiving the sacraments from you – priests who, according to their own principles, have been "in communion with" schism, sacrilege, heresy and "doubtfully-ordained" clergymen?

▪ And if I were to accept your principles would I not then be obliged to refuse the sacraments to *you*?

And finally...

▪ As you don the black robes, bang your gavels, summon the bailiff, and bid the trial to begin, please remember to mete out "justice" to yourselves according to the same principles you now use to judge everyone's actions but your own:

For with what judgement you judge, you shall be judged; and with what measure you mete, it shall be measured to you again.

THE FIRST STONE

A Traditional Catholic Organization in Spokane, Washington is Charged with “Schism.” What’s the Story Here?

Rev. Anthony Cekada

1991

One fine day, you, a traditional Catholic, open your mail and discover a pamphlet which contains some shocking news: The priest who says the traditional Mass in your local Mass center each Sunday – he seems so zealous, so traditional – has been mixed up with an organization whose history is filled with the worst sort of scandals. You read the charges against the organization, and you are appalled that your local priest could have had anything to do with it:

First, communion with schism and heresy. The organization allowed schismatic “Old Catholic” bishops from a sect with married clergy to participate actively in its ordination ceremonies; these schismatics actually imposed hands on the heads of ordinands and were allowed to be present in the sanctuary. The organization also assigned other “Old Catholic” schismatics to say Mass regularly in one of its chapels. A follower of the Rev. Leonard Feeney – excommunicated under Pius XII – likewise said public Mass under the organization’s auspices, not just once, but for years.

Second, there is ample evidence of scandalous conduct by the organization’s priests. One of its high officials fled abroad to avoid being charged with assault and battery. The second highest-ranking priest in the organization publicly converted to Protestantism and got married. Another priest attempted to assassinate John Paul II.

Third, this supposedly traditional organization has been in communion with the *Novus Ordo*. Its priests have been allowed to say the *Novus Ordo* regularly in parishes on Sundays. The organization allowed its altars to be used for celebrating the *Novus Ordo*. Seminarians in the organization have been denied Holy Orders because they refused to assist at or receive communion at the *Novus Ordo*. The supposedly

“traditional” bishop who headed the organization ordained a priest for it – using the *Novus Ordo* ordination rite. On another occasion this prelate, vested in cope and miter, publicly assisted in the sanctuary at a *Novus Ordo* funeral Mass, where, standing in front of the table, he presided over the absolution ceremony.

The writer who levels these shocking charges says the conclusion is clear: the organization in question cannot possibly be Catholic. It has been in communion with schism, heresy and the *Novus Ordo*. Its past is filled with disgraceful scandal. All those involved with the organization, therefore, should be considered non-Catholics and refused the sacraments, until they abjure their errors and are formally reconciled with the Catholic Church. Till then, laymen should avoid like the plague any priest who has ever been associated with this sect.

The writer then provides a list of priests. Each has been “tainted” by associating with this sect. The names look awfully familiar: Fathers Daniel Dolan, Donald Sanborn, Joseph Collins, Eugene Berry and Anthony Cekada.

But then the list of tainted clergy gets longer still: Fathers Clarence Kelly, William Jenkins, Thomas Zapp, Martin Skierka, Thomas Mroczka, Denis McMahon, Daniel Ahern – and eventually runs to about three hundred priests.

What is the supposed “sect” that all these priests have belonged to or been in communion with? A certain organization headquartered in Spokane, Washington, perhaps? A group affiliated with a “Thuc bishop”? The pamphlet provides you with the organization’s name: the Society of St. Pius X, founded by Archbishop Marcel Lefebvre.

* * * * *

My purpose in mentioning these unfortunate events is not to launch an attack on the Society of St. Pius X or the late Archbishop. Far from it. The Society corrected these problems, tried to repair the scandals and avoided repeating such errors in judgement. Indeed, its efforts in this regard deser-

ve nothing but praise.

Why bring up such unpleasant things, then? To illustrate a larger point about traditional Catholic organizations and clergy in general: It is a relatively easy matter to cast the first stone at just about anyone on the traditional scene. You dredge up a few of the grosser blunders your target has committed; you paint each one (even if it's been corrected) as clear evidence of involvement with heresy, schism, scandal or the Conciliar Church; you say your target couldn't possibly be considered a Catholic, therefore; and you top it off by denying the sacraments to anyone who has been connected with him.

But while it's easy to cast the first stone, it's also a bit dangerous for the thrower himself. He can open himself to charges of hypocrisy and pharisaism if (as is frequently the case), he applies one standard to condemn as non-Catholic the actions of others, but applies quite another when it comes to similar actions of his own.

Nowhere is this hypocrisy and pharisaism more evident these days than in the attitude of certain traditional clergy towards the Mount St. Michael group, an organization of traditional Catholic clergy and laity headquartered in Spokane, Washington. Chief among those throwing stones at this target these days is the Society of St. Pius V, a group of traditional priests headquartered in Oyster Bay Cove, New York.

The Fathers of the Society would be well-advised to keep quiet and mind their own business. Earlier this year, the Rev. Joseph Collins, a former member of the Society, wrote a lengthy and excellent critique of the Society's charges against Mount St. Michael.¹ Citing example after example, Father Collins amply demonstrated how the Fathers have been involved in the same sort of things for which they condemn Mount St. Michael.²

¹ Joseph F. Collins, pamphlet "A Critical Analysis of the January, 1991 *The Bulletin* Originating from Eight Pond Place, Oyster Bay Cove NY 11771," (Jacksonville FL: St. Michael the Archangel Church 1991), 10 pages.

² I also wrote a one-page circular pointing out how the Society's positions are contradicted by its members own actions. See "Measure for Measure" (p. 187-191).

Here we cite only one: According to the good Fathers the Mount St. Michael group is permanently tainted as non-Catholic because it can be linked several decades ago with “Old Catholic” schismatics. Laymen, naturally, are unsettled when they hear this. Then we learn that the Society of St. Pius X, to which all the St. Pius V Fathers once belonged, allowed two “Old Catholic” bishops – chicken farmers from Arkansas, if you please – to function regularly as priests in the Society’s church at St. Marys, Kansas in the late 1970’s. Needless to say, the clergymen now casting stones at Mount St. Michael did not feel themselves bound to deny Archbishop Lefebvre the use of their altars and denigrate him as non-Catholic until he rectified the situation.

Examples could be multiplied. Suffice it to say that what the St. Pius V Fathers deem schismatic, scandalous, non-Catholic, indefensible and dubiously valid for Mount St. Michael, they consider Catholic, praiseworthy, necessary, justifiable and valid for themselves.

To accompany patently hypocritical accusations, the Fathers fabricated a fittingly fictitious offense: being “in communion with” Mount St. Michael. Describing how this “crime” is supposedly committed is a bit confusing, but bear with me: A layman receives Communion from a St. Michael’s priest. The layman comes to my Mass and I give him Communion. I’m instantly “tainted.” You then come to my Mass and receive Communion from me. You’re then “tainted” too. You go to Mass at a Society of St. Pius V chapel, and the priest finds out you’ve received Communion from me. He tells you therefore that he will refuse you Communion unless you agree never to receive the sacraments from me again. Or – and one Society priest recently did this to a traditional Franciscan nun who had taught in his school for years – Father asks you questions at the communion rail, and publicly withholds the Eucharist from you if you don’t answer to his satisfaction.

Now there’s one tiny problem with this supposed crime of “in communion with” – it doesn’t exist in church law.

Of course, the law specifically forbids active participation

in non-Catholic services – but the Church’s penal law says *nowhere* that Catholics who participate in a schismatic non-Catholic service instantly become “schismatics” themselves.

Even if we were to accept the Society’s reckless charge that the Mount St. Michael group *is* “schismatic,” *nothing* in the law of the Church justifies the Society’s refusal of the sacraments to laymen who go to a Mass where members of the St. Michael’s group are also allowed to receive Communion. In canon law, crimes, guilt and penalties come into play only if certain strict conditions are met. They are not passed along like contagious viruses that jump from person to person at the altar or communion rail.

This fictitious crime of “in communion with” allows the Society of St. Pius V to target whole groups of traditional Catholics – clergy, religious and laymen – as schismatic, scandalous and non-Catholic. The crimes and penalties the Society alleges against one member of a target group the Society blithely attributes to all members – and the requirements of the Church’s law are thus cast out to make way for the perverse principle of guilt by association.

Ironically, the Society by its own principles is already “in communion with” Mount St. Michael anyway. One Society priest, the Rev. Thomas Zapp, offers Mass in Tacoma, Washington in order to help the Rev. Mario Blanco. Father Blanco is “in communion with” Bishop Robert McKenna OP, who in turn has ordained priests for Mount St. Michael. The Society, therefore, is “in communion with” Mount St. Michael, via Fr. Zapp, Fr. Blanco, and Bp. McKenna. Likewise, the Society is “in communion with” Mount St. Michael via the Rev. Daniel Ahem, a Society priest who, while he will not give Communion to members of the St. Michael’s group themselves, will nevertheless give Communion to members of chapels where other priests do. Please note: I am merely applying the Society’s principle. If the conclusion is absurd, it is because the principle is absurd. But absurd though it be, when it is used by the Society to deny Catholics the sacraments, it is no laughing matter at all.

Hypocritical accusations and the fabrication of a non-

existent crime (“in communion with”) are not the only characteristics of the Society’s campaign. The root charge – that those associated with Mount St. Michael are “schismatics” – simply does not hold up on close examination.

Please understand from the outset that I am no cheerleader for Mount St. Michael. There is much in its history I consider scandalous, grossly imprudent and objectively wrong. The same could be said of the Society of St. Pius X, the Society of St. Pius V, and many other traditional organizations.

Past scandal, imprudence and wrong-doing, however, can be corrected and overcome – the Creed, last time I checked, still professes faith in the forgiveness of sins. Indeed, the leaders of the Mount St. Michael group have taken some admirable steps in this regard. Laymen who have been associated with the group, moreover, come to my Mass in Columbus. I know them well. There is nothing “non-Catholic” about them. They are zealous, devout, traditional Catholics.

Be that as it may, I do not intend to give a blanket seal of approval to any one organization – experience has taught me the folly of that. I am an independent priest and I intend to remain so. What I propose to do here is merely answer the one and only question which goes to the heart of the matter:

Can one characterize the Mount St. Michael group as “schismatic”?

In light of the pertinent facts and the only standard which counts – the law of the Church – the answer is a resounding “no.”

To demonstrate this, I will:

- 1) Briefly recount the group’s origins.
- 2) Examine its recent history.
- 3) Provide some general comments on crimes and punishments in the Church’s law.
- 4) Reproduce the definition of “schismatic” which appears in canon law and show that the Mount St. Michael group does not fall under this definition.
- 5) Deal with certain issues raised against the group, and show that none of them is proof of “schism.”

1. ORIGINS OF THE GROUP

The St. Michael group was founded by Francis Schuckardt, a layman who gained considerable prominence in the 1960's for his eloquence in promoting the Fatima Message. In 1967, Schuckardt and about a half-dozen young supporters of the Fatima Message banded together as the Congregation of Mary Immaculate Queen (CMRI) with the idea of living the religious life as traditional Catholic nuns and brothers. Schuckardt's magnetic personality and reputation in the Fatima movement made him a natural leader for this group. The project at first enjoyed the approval of the Most Rev. Sylvester Treinen, the Catholic Bishop of Boise, Idaho.

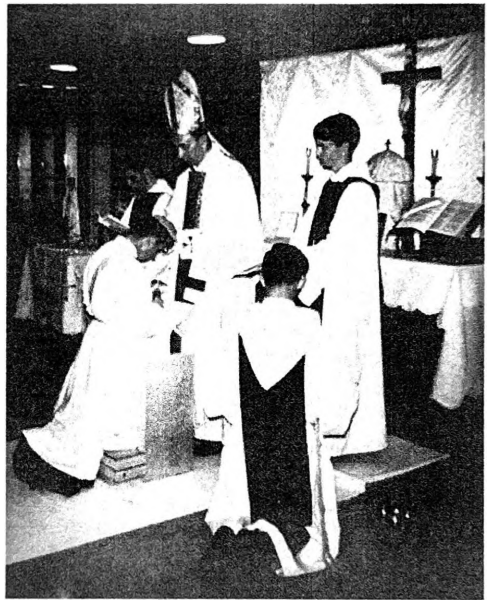
Schuckardt, however, was among the first in this country to reject as non-Catholic all the changes in faith and worship introduced in the Church in the wake of the Second Vatican Council (1962-1965). Naturally this led to problems with Bishop Treinen. The group soon concluded that the chaplain the bishop had appointed for them was a modernist, and began looking elsewhere for clergy to serve them.

The long search bore little fruit. But some retired priests were persuaded to help out, among them the Rev. Burton Fraser, an elderly Jesuit from Colorado who refused to say the New Mass. He became the CMRI's spiritual advisor.

In 1971, of course, no Catholic bishop would ordain priests for a religious order which rejected both Vatican II and the New Mass. At this point in the story we encounter one Daniel Q. Brown. Brown, a Catholic layman with traditional inclinations, had gotten himself ordained a "priest" and consecrated a "bishop" by an Old Catholic prelate. ("Old Catholic" is a generic term for a number of schismatic sects originating in the 17th and 19th centuries. Each one of these groups claims it has validly-consecrated bishops. I employ the skeptical quotation marks around the words "bishop" and "priest" only because Holy Orders received in some Old Catholic bodies may not be valid.) Brown's conclusions on the post-Vatican II Church turned out to be identical to Schuckardt's.

Father Fraser believed that the situation in the Church was extreme and that there were no Catholic bishops to whom one could go for the traditional sacraments. (This was in 1970 when Archbishop Lefebvre was a virtual unknown who was in the process of attempting to secure Paul VI's blessing for his newly-founded Society of St. Pius X.) Father Fraser concluded that the moral principle of *epikeia* – in the face of unforeseen circumstances, favorably interpreting the mind of the Church as law-giver in such a way as to permit an action which the law would forbid under normal circumstances – could be invoked to allow one to receive Holy Orders from Brown. His conclusions were deemed sufficient by members of the group to warrant the actions which would follow.

Brown repented of his schismatic acts, renounced his ties with the Old Catholics, made a public abjuration, went to confession, and received absolution from a traditional priest. In October and



Ordination of Francis Schuckardt in Oct. 1971

November 1971, Francis Schuckardt was ordained a “priest” and consecrated a “bishop” by Brown. Schuckardt’s religious order, the CMRI, set up headquarters in Idaho. It would later move its center of operations to a former Jesuit seminary, Mount St. Michael, in Spokane, Washington.

Schuckardt’s emphasis on Marian piety and the traditional Latin Mass drew to the movement over the years thousands of laymen dissatisfied with the modernism of the Conciliar Church. Many young people, as well, joined the two religious orders Schuckardt had established. Schuckardt or-

ganized dozens of Fatima groups throughout the country for traditional Catholics who supported his cause.

Here we give credit where credit is due. On the central issues – the New Mass, for instance, and the defection *en masse* of the hierarchy from Catholic teaching – the members of the St. Michael's group were right. They also preserved intact all those traditions and practices which are now a part of the religious and devotional life of every traditional Catholic chapel in the world. This they did, please note, at a time when most of us – even those who are



Consecration of Francis Schuckardt in Nov. 1971

now the group's most vocal opponents – were still going to the Novus Ordo and urging “conservative” interpretations of the disastrous Vatican II changes.

At the same time, however, Catholics who turned to Schuckardt in their quest to preserve their faith also unwittingly became entangled

in something which started to show all the signs of a classic personality cult. Schuckardt's word was law, and he introduced many devotional and penitential practices which were bizarre and extreme. To isolate followers, the reading of literature produced by other traditional Catholic groups was forbidden, even to priests. Many were left completely in the dark about the actual source of Schuckardt's episcopal consecration.³ All traditional clergy outside Schuckardt's orbit were depicted as having compromised with the Conciliar

³ Lay people involved for many years with St. Michael's have told me that the first time they heard of “Old Catholics” was when they read my 1990 pamphlet, “A Question of Authority” (pp. 178-186).

Church; the laity, naturally, were forbidden to approach outside priests for the sacraments. Followers were also sometimes subjected to disorienting techniques associated with cults and mind-control.

Most people, of course, have no idea of how a Catholic bishop of the old school really conducted himself. Since Schuckardt's followers had no standard of comparison, it is manifestly unjust to reproach them for mistaking his cult-like control for the spirit of the Church.

Not surprisingly, Schuckardt ordained only six priests – a large body of clergy, of course, would have constituted a threat to his control. Nevertheless, some of them eventually began to have second thoughts. Schuckardt sent two clerics to a nearby college to take a course on cults – he hoped they would gather enough information to refute the press's charge that the St. Michael's group was a cult. The opposite occurred. Both came away convinced that Schuckardt was in the process of turning the operation into a full-fledged cult.

Soon after his consecration by Brown, Schuckardt turned himself into a remote and mysterious figure, isolated from the day-to-day life of the religious communities he founded. He generally issued his orders and directions in writing or by phone, rather than in person. Other than giving an annual retreat, Schuckardt left the spiritual formation of the nuns and brothers to others. While he kept quarters at Mount St. Michael, he would normally visit there only on major feast days. From the beginning, he lived in houses apart from the religious community itself.

Even though their contacts with Schuckardt were limited, some of the priests, brothers and nuns in the community concluded that his behavior was becoming increasingly strange and erratic.

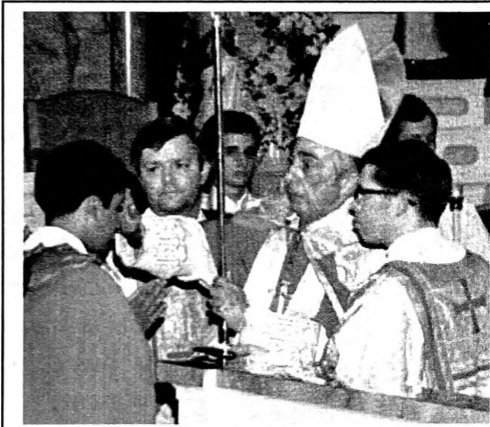
In 1984 a series of stories in the secular press accused Schuckardt of drug abuse and gross personal immorality,⁴ charges which shocked the Mount St. Michael community.

⁴ While the case was highly publicized in the West at the time, there is no point in repeating all the details.

In June 1984 three priests confronted him with the accusations. After delays in addressing the issue, Schuckardt fled with a small number of religious and lay people.

2. RECENT HISTORY

In autumn of 1984 the priests sought out a bishop to ordain for the CMRI. Archbishop Lefebvre and the Society of St. Pius X were out of the question, particularly since the Archbishop at that time was seeking to work out a compromise with the Conciliar Church. They settled on one of the Thuc



Bishop George Musey at Mount St. Michael's

bishops⁵ George J. Musey, and conducted extensive discussions with him.

On 23 April 1985 before Bishop Musey, the remaining three priests publicly took the Abjuration of Error and Profession of Faith *ad cautelam* – in case through their previous actions they had incur-

red any ecclesiastical censures. Bishop Musey then re-ordained them conditionally. (This was a prudent step. While the Church before Vatican II usually regarded ordinations stemming from Old Catholic bodies as valid, she also looked at each particular case.)

The priests announced their intention to turn the group into a normal traditional Catholic organization. They uprooted the cult-like practices Schuckardt introduced, and appear to have rectified past mistakes and exaggerations.

Since then, various Thuc bishops have ordained priests for the group. As of this writing, the religious order head-

⁵ As I have noted elsewhere, the episcopal consecrations performed by Archbishop Pierre Martin Ngô-dinh-Thuc are valid. A full study of the issue is in preparation (see pp. 227-259).

quartered at Mount St. Michael, the CMRI, has 14 priests, a number of brothers and seminarians, and about 65 sisters. They operate chapels throughout the United States, and in Mexico, Canada and New Zealand. Several thousand lay people assist at the traditional Mass at these chapels.

As with any other traditional Catholic organization, it is unjust to continue to condemn this group for past deviations which have been acknowledged, rectified and atoned for. In 1980 I wrote an 11-page article on the history of the European Old Catholic movement and the pseudo-apparitions in Necedah, Wisconsin.⁶ Despite the efforts of some to misrepresent my article as an exhaustive, eternal and near-infallible condemnation of Mount St. Michael in particular, the only discussion of the group occurred in passing in a footnote. Since 1980, however, Schuckardt has departed, the group's leaders took an abjuration, and much additional information has come to light. One should have the good grace to acknowledge these facts and their consequences. To do otherwise is both intellectually dishonest and morally wrong.

In August 1991 I visited Mount St. Michael to attend a meeting of independent traditional priests, an event presided over by Father Leonard Giardina, a traditional Benedictine monk from Cullman, AL. During the course of my stay, I spoke at great length with about 10 CMRI priests.

I encountered absolutely nothing to support the charge that these men are schismatics or non-Catholic. There is nothing "weird" about them or their community life. The atmosphere is utterly normal and identical to that of any Catholic religious house – I speak from experience, having lived in or visited countless religious houses throughout the 25 or so years of my ecclesiastical career.

All the priests seem to have received a good theological and religious formation. They talk and act like real Catholic priests. The older Fathers seem especially knowledgeable when it comes to matters of theology and church law. They

⁶ Anthony Cekada, "A Warning on the Old Catholics: False Bishops, False Churches" (pp. 39-63).

are completely open when you discuss the group's past with them. But understandably, I suppose, they're weary of being continually condemned for past problems, especially since they didn't create the problems in the first place, and later made every effort to correct them.

3. CRIMES AND PUNISHMENTS

In a previous pamphlet,⁷ I pointed out that one of the major causes of divisions among traditional Catholics is the tendency certain traditional clergy have to accuse fellow traditional Catholics of "crimes" and proceed to read them out of the Church. I also noted that the only fruit this has produced is endless conflict in traditional organizations, chapels and families.

At the root of this tendency is an incredible arrogance. The clergy who indulge in this "ministry of condemnation" lack any jurisdiction from church law to bind the consciences of others. Yet they merrily go their way playing prosecutor, judge, jury and hangman for the targets of their choice.

Such priests are able to get away with this only because the average traditional Catholic is unaware that church law intentionally makes it very difficult to accuse any Catholic of having willfully and through his own actions departed from the one, true Church.

If a decree from lawful authority (a papal bull, say) declares that a named individual is outside the Church, it is obvious, of course, that the person is then a "non-Catholic." But other than that, to whom may the term "non-Catholic" be applied? To four classes of persons, says the canonist Rev. Cornelius Damen CSSR:⁸

- 1) the non-baptized,
- 2) heretics,

⁷ "A Question of Authority" (pp. 178-186).

⁸ "Non-Catholics," in Francisco Cardinal Roberti, compiler, *Dictionary of Moral Theology*, tr. from the 2nd Italian edition of 1957 by Henry J. Yannone, (Westminster MD: Newman Press 1962), 825.

- 3) schismatics, and
- 4) apostates.

Traditional clergy occupied with the ministry of condemnation freely and frequently hurl the charge “heretic” and “schismatic” at other targets in the traditional movement. A layman, hearing these frightening terms, takes the condemnations at face value, and figures there must be something to them.

He shouldn’t. Almost without exception, priest-accusers are merely slinging inflammatory invectives. When you compare what these men allege against a target with what church law *really* defines as “heresy” or “schism,” you discover very quickly, as Southerners say, that “the ol’ boys are just woofin’.”

The woofing would be bad enough. But the ministers of condemnation never content themselves merely with that. They go on to say that their target of choice has incurred an ecclesiastical penalty (excommunication is a favorite) and that he’s put himself outside the Church. Denial of the sacraments then follows.

The whole process is a fraud from beginning to end.

First, church law defines very precisely what a heretic is and what a schismatic is. No clergyman, unless he’s gloriously reigning as Christ’s Vicar, has the right to go beyond the precise meanings of those definitions. If *any* of the conditions church law lays down for being a heretic or a schismatic are not met, you are simply not a heretic or a schismatic.

Second, to incur the penalty for a grave crime like heresy or schism, a number of other conditions must all be present (an external act, a completed offense, mortal sin and obstinacy – the latter not as it is commonly understood, but as the law defines it).⁹ In matters where punishments are involved, moreover, a more benign interpretation (i.e., in your favor) must be followed. If there’s a doubt of fact – whether

⁹ Heribert Jone OFMCap, *Moral Theology*, (Westminster MD: Newman Press 1962), 291.

you've committed a given crime, say – the penalty cannot be imposed, since, as one canonist notes, "it would be inhuman to do so."¹⁰

4. CHURCH LAW AND SCHISMATICS

Aware therefore that church law delineates very specifically the nature of particular crimes, and that penalties aren't incurred if there is a doubt that the specified crime was committed, we turn to the case at hand.

Commenting on the third paragraph of the Society of St. Pius V's January 1991 condemnation of Mount St. Michael,¹¹ Father Collins rightly observes: "To be noted here is the repeated use of the terms 'sect' and 'schismatic.' - By this point the simple-minded reader has seen these terms eleven times, and is able to repeat them in his sleep. The technique is a common one among the great demagogues of history."¹²

The reader of the January *Bulletin*, Father Collins might also have added, will search in vain through the entire text of the denunciation for a definition of the terms "schism" and "schismatic."

A similar reluctance to define terms is apparent in a Society priest's recent public letter to parents at his school in Cincinnati. Before going on to announce that he will refuse the sacraments to parents and children who disagree with the Society's position, the author of the letter simply characterizes Mount St. Michael as "schismatic."¹³ He, too, neglects to define the term.

Now all this is quite interesting. Here you have two priests. One plowed through mountains of canon law commentaries to write the Constitutions of the Daughters of Mary. The other taught theology and canon law at a tradi-

¹⁰ Eduardo F. Regatillo SJ, *Theologiæ Moralis Summa*, (Madrid: BAC 1954), 3:1027.

¹¹ Clarence Kelly, *The Bulletin*, (Oyster Bay Cove NY: Society of St. Pius V, January 1991).

¹² "A Critical Analysis..." 4.

¹³ William W. Jenkins to Parents and Friends, Letter 6 August 1991.

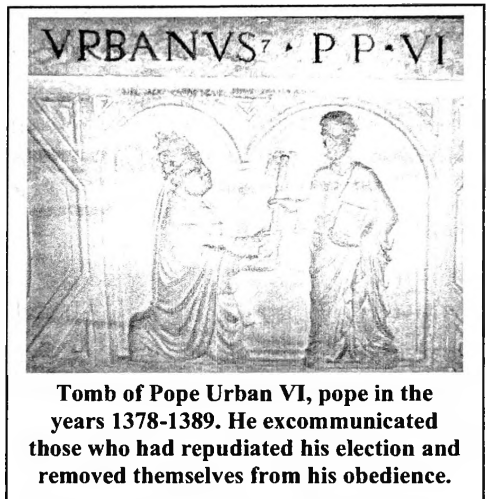
tional Catholic seminary. Both repeatedly condemn Mount St. Michael and the several thousand people associated with it as “schismatics.” Neither priest defines the term. Why? The answer is obvious: Both priests know very well that the Code of Canon Law gives a precise and extremely restricted definition for the term “schismatic.” And they also know that if they try to stretch that definition in any way and apply it to Mount St. Michael, someone will blow the whistle. The charge on which they base all their bitter diatribes will then collapse.

You don’t become a schismatic, you see, by belonging to a group that has skeletons in its closet, used hierarchical titles for its officials, thought it was the Church’s only hope, approached former Old Catholics for episcopal consecration, had a corrupt leader, or was guilty of any one of the thousand-and-one other stale accusations one may care to dredge up from Mount St. Michael’s past. None of it is “schism.”

You become a schismatic if and only if you obstinately rebel against a pope’s lawful authority, or refuse ecclesiastical communion with Catholics subject to him.

Here is the definition of “schismatic” as it appears in the Catholic Church’s Code of Canon Law:

If someone, after receiving baptism and retaining the name “Christian,” pertinaciously - - refuses to be subject to the Roman Pontiff, or refuses to communicate with the members of the Church who are subject to him, he is a schismatic.¹⁴



¹⁴ Canon 1325.2. Before passing on to the definition of “schismatic,” the canon also gives the definitions for “heretic” and “apostate.”

That's all there is to it. It only remains to ask a few simple questions to see whether this definition applies to the facts on the Mount St. Michael group:

(1) Did the members of this group receive baptism and retain the name Christian? Yes.

(2) Did the members of this group “pertinaciously refuse to be subject to the Roman Pontiff”? No.¹⁵ From the beginning through the present, the group's leaders and members have insisted time and again that they are nothing other than Roman Catholics who want to preserve the faith in face of the terrible destruction wrought by the Second Vatican Council.¹⁶

(3) Did the members of this group “refuse to communicate [be in communion] with the members of the Church subject to the Roman Pontiff”? No again. Like the Society of St. Pius V and other traditional organizations, however, the Mount St. Michael group insists that members receive only the traditional sacraments – not out of rebellion against the Holy See, of course, but out of fear of sacrilege.

Commenting on the Canon's definition, moreover, the canonist Father Charles Augustine noted the following: “The Holy Office very properly decided that separation from the See of Peter meant a split in the unity and apostolicity of the Church and setting up another Church in place of the one founded by Christ.”¹⁷ Whatever the St. Michael's group can be accused of, it is most certainly not that.

The St. Pius V Fathers have published at least 9 public

¹⁵ I suppose that most members of the group hold the opinion that the Apostolic See is vacant. (So do the Society of St. Pius V, Traditional Catholics of America and other traditional organizations.) But since this theory is merely an application of the teachings of the great Counter-Reformation theologians (St. Robert Bellarmine, Cajetan, Suarez, etc.) and since mere doubt about an individual pope's personal claim to the office does not fall under the censure anyway (See F.X. Wernz SJ and P. Vidal SJ, *Jus Canonicum*, [Rome: Gregorian University 1937], 8:398), it hardly constitutes “refusal to be subject to the Roman Pontiff.”

¹⁶ See, for example, the statement issued by their current Superior: Tarcisius Pivarunas CMRI, pamphlet “Just for the Record,” (Spokane: Mount St. Michael 1990).

¹⁷ P. Charles Augustine OSB, *A Commentary on the New (1917) Code of Canon Law*, 2nd edition, (St. Louis: Herder, 1923), 6:335.

statements condemning Mount St. Michael.¹⁸ Despite that, they have not produced one scintilla of evidence demonstrating that either the St. Michael's group as a whole or its individual members are guilty of what the Church defines as "schism."

The evidence, I submit, doesn't exist. And since that's the case, the law of the Roman Catholic Church does not deem the St. Michael's group "schismatics." Neither, therefore, should anyone.

Since the Society's key charge against these devout people is no longer tenable, the rest of its case disappears into thin and extremely hot air.

5. MISCELLANEOUS CHARGES

Absent any credible justification in canon law for calling Mount St. Michael "schismatic," the Society of St. Pius V has attempted to sustain the charge by alleging that other supposed misdeeds will do the trick.

I have reread all the Society's statements on the issue. It may be helpful here to pull together what appear to be the Society's main arguments, and offer a comment or two on each.

A. The Mount St. Michael group started out as a schismatic Old Catholic sect and continues to be such because of Schuckardt's consecration by Brown.

As we noted above, throughout this group's history members insisted over and over that they never left the Church, that they were never Old Catholics, and that they were only Catholics who wanted to preserve their faith and the Mass after Vatican II.

As for the consecration by Brown, the group was told by a priest who said the old Mass that the action was justified by the moral principle of *epikeia*. It is *epikeia*, please note, that the Rev. Clarence Kelly has used to justify his own as-

¹⁸ One magazine article, two bulletins, and six public letters.

tounding position that the Daughters of Mary in Round Top, New York are a “canonically established” religious congregation. In the same article where Father Kelly invoked *epikeia* to defend his own actions, he also included a lengthy digression condemning Schuckardt and Mount St. Michael.¹⁹

Before consecrating Schuckardt, in any case, Brown abjured and repudiated the Old Catholics.²⁰

Even if Brown had not abjured, receiving orders from him, while irregular, would not have automatically rendered Schuckardt schismatic – nor would it have automatically rendered schismatic those who subsequently followed Schuckardt. Suspension or excommunication is the automatic penalty the law imposes for receiving the priesthood or episcopate irregularly. (By “irregular” we mean without the Church’s official authorization – the case with *all* the priests and bishops Archbishop Lefebvre ordained since 1975.) Such a cleric becomes a schismatic only when the Church issues an official decree against him declaring him by name to be such. Even then, the penalty in the decree does not automatically fall on his followers. They must either be excommunicated by name or with the general phrase *ac sequaces* – and his followers. No such decree – certainly none that any traditional Catholic would recognize – was issued.

Schuckardt, it should also be noted in passing, always operated independently of Brown, and Brown never visited any of Schuckardt’s institutions.

B. The Mount St. Michael group was/is still schismatic because it was referred to as the “Tridentine Latin Rite Church.”

¹⁹ The article appeared in *The Roman Catholic* in Fall 1989.

²⁰ It does no good twenty years after the fact, moreover, to pose phony questions like: “What if Brown’s abjuration wasn’t really sincere?” (Dead men tell no tales of course, and they certainly don’t take phone calls from Oyster Bay.) To be culpable in any way, Schuckardt and his followers, obviously, would have to have known about it at the time.

“Tridentine Latin Rite Church” (TLRC) is the name which the St. Pius V Fathers repeatedly use to refer to the Mount St. Michael group. Like leftists who make a point of referring to anyone else as “fascists,” the good Fathers know how to use a pithy label against their targets – despite the fact that the St. Michael’s group eschewed the use of the name.

The name is a variant of a one cooked up by Brown, who believed the Holy See was vacant and who said he was preserving the Church’s doctrines as they were in the time of Pius XII. Brown explained in a letter: “In order to distinguish ourselves from Churches [sic] using other rites or Masses, we call ourselves tentatively, ‘The Tridentine Rite Catholic Church’.”²¹

Schuckardt used “Tridentine Latin Rite Church” as the civil/legal title when he incorporated with the state authorities. In most states, you can’t use “Roman Catholic Church” in a corporation’s title unless you get the written permission of the local bishop.

Separation from the *Novus Ordo*, rather than separation from the one true Church, is what really lay behind the name.

One of the older priests told me he himself never remembers using the name except in corporate papers. It was the local diocesan newspaper, rather than members of the group itself, which appears to have been responsible for popularizing the name “Tridentine Latin Rite Church” as the way outsiders referred to the group.

Using a pompous, inappropriate or even foolish name for your traditional organization, however, does not make you “schismatic” under the law of the Catholic Church. All you’re really guilty of is using sloppy language.

C. The Mount St. Michael group was/is still schismatic because Pope St. Pius X in 1911 solemnly excommunicated Arnold Harris Mathew, and it was to a series of

²¹ Daniel Q. Brown to Francis Schuckardt, Letter 10 July 1971.

bishops deriving from Mathew that Brown, who consecrated Schuckardt, traced his own consecration.

I am well aware of the story of Arnold Harris Mathew, his excommunication for schism, and the various Old Catholic groups which trace their lineage from him. As I mentioned above, I researched the topic extensively and wrote a lengthy article on it in 1980. I consider myself a bit of an expert on Mathew. To be sure, Mathew was a schismatic, and his punishment was well-deserved.

That one of Brown's remote episcopal predecessors was excommunicated by St. Pius X, however, does not transform the Mount St. Michael group into "schismatics."

First, Schuckardt's followers, based on Father Fraser's advice, believed that Brown's renunciation of the Old Catholics was sufficient to cure any problems.

Second, St. Pius X's decree declared that *one specified act* (the illicit consecration Mathew performed) was a crime. He then punished as schismatics and excommunicates *those who were involved in that one act*. Mathew, Beale and Howarth, and all who lent aid, counsel or consent "to *this* nefarious crime."

The punishment St. Pius X meted out was inflicted *only* on the individuals specified in the decree. The pontiff did not say that all bishops who would in the future trace their lineage to Mathew would incur the same punishment. Nor did he say that any laymen who would in the future would associate with such bishops would incur the same punishment.

You cannot pretend that the punishment inflicted on *specified* individuals for one *specific* act applies eighty years later to people who were *not* named specifically in the decree and who had *nothing* whatsoever to do with the specific criminal act.

Mathew's penalty was not like some infection which the St. Michael's people could "catch" via Daniel Q. Brown.

Why? Because, as the canonist Father Eduardo Regatillo says:

It is not allowed to transfer a punishment from one person to

another person, or from one case to another, even though an equal or more serious reason be present. Here, an argument from an equal case (*a pari*) or from a stronger case (*a fortiori*) does not apply. *Punishments do not go beyond an individual case.*²²

D. The Mount St. Michael group is schismatic because the abjuration their leaders took in 1985 was (1) insincere, and (2) received by someone who had no power to receive it.

The appropriate adjectives to describe the foregoing assertion are arrogant, presumptuous and absurd.

First, the assertion is predicated on the assumption that members of the group fall within the category of “schismatics.” That, as we’ve seen, is false.

Second, while the group and its leaders maintained that they always remained Catholics, the leaders took the prudent step of making an abjuration in case they incurred any censures. As we’ve seen above, if there is a doubt about whether you’ve actually committed a crime, you’re not subject to the accompanying censure and you really don’t have to be absolved. But it is permissible to absolve someone conditionally. This is clear from the formula for absolution from excommunication in *The Roman Ritual*. When there is doubt that the censure has been incurred, the *Ritual* specifies that the priest employ the phrase “I absolve you from the bond of excommunication which you have *perhaps* incurred”.²³

Third, the St. Pius V Fathers did not receive the abjuration. They had nothing to do with it. The Fathers don’t have the right or the power to run a “sincerity check” on all abjurations in the U.S. and then declare several thousand Catholics “unreconciled schismatics” if they don’t merit the Society Sincerity Stamp. Let the Fathers leave mind-reading to the Amazing Kreskin.

Fourth, Bishop Musey had just as much power to receive an abjuration as any other traditional clergyman does. Even if one doubts his episcopal consecration, one must face the

²² *Theologiæ Moralis Summa*, 3:1027.

²³ *Rituale Romanum*, (New York: Benziger 1953), Supplementum, 19.

fact that he was a diocesan priest ordained before Vatican II. As such, no other pretensions he had²⁴ take away the supplied jurisdiction he enjoys – just like any other priest – to receive an abjuration.

E. The Mount St. Michael group was/is still schismatic because its Superior will not answer every question Father Kelly decides to ask him.

Alas, I am not making this up.

In the fall of 1989, the head of the Society of St. Pius V, Father Kelly, published an article in *The Roman Catholic* attacking Mount St. Michael as an “Old Catholic sect.”

About five months later, Father Kelly wrote to Mount St. Michael saying he was “asked by a number of people to make an assessment of your group.”²⁵ (Condemn first, assess later...) He enclosed a series of questions about the 23 April 1985 abjuration.

The Superior of the CMRI Fathers, the Rev. Tarcisius Pivarunas, replied. Having noted that Father Kelly had already condemned the group and denounced the acts of the Thuc bishops as illicit and invalid, he asked why he should bother to answer such questions.²⁶

Father Kelly replied by giving his arguments against the Thuc consecrations. As for his questions to Father Pivarunas, Father Kelly said he wanted to get the facts from the horse’s mouth. “If you are sincere,” Father Kelly added, “I cannot understand your reluctance to answer my questions. I conclude that if you are interested in shedding the light on the truth, you will answer them. If you have something to hide, you will not.”²⁷

Father Pivarunas, oblivious to the Great Truth that sin-

²⁴ Bishop Musey had the foolish notion that he had jurisdiction to set up a “diocese.” But foolish notions on jurisdiction abound in the traditional movement and foolish notions do not constitute “schism.” We have already mentioned Father Kelly’s claim that he himself enjoyed jurisdiction to set up the Daughters of Mary as “canonically established.”

²⁵ Clarence Kelly to To Whom It May Concern, Letter 19 February 1990.

²⁶ Tarcisius Pivarunas CMRI to Clarence Kelly, Letter 20 March 1990.

²⁷ Clarence Kelly to Tarcisius Pivarunas CMRI, Letter 28 March 1990.

cerity is founded solely on a Catholic's willingness to answer Father Kelly's questions, replied that, had Father Kelly *really* been interested in the truth, he would have written to Mount St. Michael *before* condemning it.

Father Pivarunas went on to say: "Father, from the many things I have heard and read about you and your manner of control, I find a striking parallel between you and Francis Schuckardt. - - For there to be stability, especially in these times, there [have] to be checks and balances on everyone, including Father Kelly."²⁸

Refusing to answer Father Kelly's questions, and in the process comparing him to Francis Schuckardt, of course, is an offense which must be dealt with severely. Eight days later, therefore, Father Kelly started circulating a new letter of condemnation.²⁹

The moral, I guess, is: don't refuse to answer Father Kelly's questions and don't compare his methods to those of Francis Schuckardt, or schism will overtake you. You can't say you weren't warned...

Not *one* of the Society's accusations catalogued above demonstrates that the members of the Mount St. Michael group fall within the Church's definition of "schismatics."

Even if those who attack St. Michael's could somehow magically expand the Church's definition of schism in order to include association with Brown, the title "Tridentine Rite Latin Church," episcopal lineage from Mathew, or the abjuration received by Bishop Musey, they still would not be able to make the charge stick. Why?

You don't become a real schismatic unless you *know* that what you're going to do is gravely wrong, and you *decide* to do it anyway. Just as mortal sin is not imputable to someone who lacks full knowledge and full consent, so too the crime of schism and the penalties it brings.

²⁸ Tarcisius Pivarunas CMRI to Clarence Kelly, Letter 13 May 1990.

²⁹ Clarence Kelly to Daniel Dolan, Letter 21 May 1990. It was not really intended as a private letter to Father Dolan. It was a condemnation of St. Michael's written for future publication.

The history of the Mount St. Michael group – like any other traditional organization – is littered with missteps, misdeeds and mistakes, all of them (insofar as we can tell) honest. If a priest therefore would still attempt to condemn them as “schismatics,” let him first consider the words of Father Cappello, the pre-eminent canonist of Pius XII’s reign:

Wherefore, whatever excuses from serious guilt, for example, ignorance or good faith, excuses likewise from the crime of schism, and consequently from the censure.³⁰

* * * * *

To sum up: Church law defines a “schismatic” as one who pertinaciously refuses to be subject to the Roman Pontiff or refuses to be in communion with the members of the Church who are subject to him.

Mount St. Michael as an institution and the thousands of people associated with it, whatever else they may be criticized for in the past, are simply not guilty of this. Hence, they cannot be called “schismatics.”

It is time, therefore, for the clergy who have conducted bitter and divisive campaigns against Mount St. Michael to drop their phony charges of “schism,” their fictitious crime of “in communion with,” their punishments for innocent souls who only want the sacraments.

But if neither church law nor common decency can deter them from their bitter course, let them then look to the dust of their own pasts, there to find writ large the same sins they see in others. And let them at least then imitate other men like them long ago, who stole away in silence, hearing the Voice which said: “He that is without sin among you, let him first cast a stone.”

Milwaukee
11 August 1991

³⁰ Felix M. Cappello SJ, *Tractatus Canonico-Moralis De Censuris*, (Rome: Marietti 1950), 193.

ENOUGH SAID...

A Final Thought on the Mount St. Michael Issue

Rev. Anthony Cekada

1991

By now, several forests have perished to yield the paper which has fueled the two-year-long debate over Mount St. Michael group of Spokane WA.

The discussion has taken complex twists and turns, and wandered off into arguments that are beyond the ability of laymen (and even most priests) to comprehend.

Having played a part in the controversy (and in the process probably slain a forest or two myself), I've come to conclude that continuing the point-by-point controversy is ultimately useless. It wastes precious time, it upsets the laity, and it undermines respect for the priesthood.

This is not to say, however, that the discussion has been altogether fruitless. Some principles emerged which still clamor for attention.

These speak to the one question behind the whole controversy:

Can we truly say that the individuals who belong to the Mount St. Michael group are "schismatics"?

In order to conclude my role in this debate, therefore, I will content myself merely with restating some simple principles.

1. The Central Issue

Accusing a Catholic of having become a "schismatic," obviously, is very grave. Schism is both a sin against God, and a crime against church law which separates you from the Church. But to discover what the term "schismatic" really means, all we have to do is look at the Church's law.

Here's the definition as it appears in the Catholic Church's Code of Canon Law:

If someone, after receiving baptism and retaining the name "Christian," pertinaciously - - refuses to be subject to the Supre-

me Pontiff, or refuses to communicate with the members of the Church who are subject to him, he is a schismatic.¹

You don't have to be a canon lawyer to figure out what the definition means. If you want to accuse an individual Catholic of having left the Church by becoming a "schismatic," you must prove that:

- 1) He refuses to be subject to the Supreme Pontiff, or
- 2) He refuses to communicate (be in communion) with the members of the Church who are subject to the Supreme Pontiff, and
- 3) He is what church law calls "pertinacious," i.e., a duly-authorized ecclesiastical official has issued a personal and formal warning to that individual, which warning the individual has repeatedly disregarded.

Now, after years of controversy and accusations, no one has ever produced *one* scrap of evidence that even *one* individual in the St. Michael group – out of its 14 priest-members, 65 sisters and thousands of lay supporters – has committed the specific acts which church law says must be present for the term "schismatic" to apply.

Now, the law is clear. And the facts are clear, too – no individual in the group has committed the acts Church law says make you a "schismatic."

Since we're Catholics and we're obliged to follow the Church's law, our conclusion, therefore, is equally clear: we *cannot* say that the members of the St. Michael group are schismatics.

2. Just suppose...

Thus the law. But even with a crime as serious as schism, the Church's interpretation and application of her law is far more merciful than many "traditionalist" priests may think.

¹ Canon 1325.2. The same canon also defines "apostate," and "heretic."

Let's suppose that we could find one individual in the St. Michael group who *had* said: "I refuse to be subject to the Roman Pontiff," or "I refuse to be in communion with the members of the Church who are subject to the Roman Pontiff." Would we still have an open-and-shut case against him?

Not necessarily. For with any ecclesiastical crime (just as with mortal sin) the accused must have *full knowledge* and *consent* before he's truly guilty.

In his lengthy treatise on ecclesiastical crimes and punishments, the great Jesuit canonist Cappello points this out when he says:

Wherefore, whatever excuses from serious guilt, for example, *ignorance* or *good faith*, excuses likewise from the crime of schism, and consequently from the censure.²

If you've acted in ignorance or good faith, therefore, you're simply not guilty of the crime of schism.

If such a merciful interpretation of the Church's law directly contradicts the spirit of so much that is said in traditionalist circles these days, we needn't spend too much time worrying about whose interpretation is correct. Father Cappello wrote the words we quoted in the early 1950's – when he was Dean of the Canon Law faculty at Rome's Pontifical Gregorian University, and a member of Pius XII's Pontifical Commission for the Authentic Interpretation of the Code of Canon Law.

Such, therefore, should be our approach – even if we *could* find an individual in the St. Michael group whose acts fell under the Church's definition for a "schismatic."

3. Accept no substitutes

If the Church is so precise in defining what a schismatic is, and even then so solicitous in sparing those who err in ignorance or good faith, we can't substitute our *own* definition, and then condemn as non-Catholics all who won't go along.

² Felix M. Cappello SJ, *Tractatus Canonico-Moralis de Censuris*, (Rome: Marietti 1950), 193. My emphasis.

Nor can we substitute a definition of our own through the back door, by stepping into a pope's shoes and claiming that a papal decree condemning *one* particular individual permits us to condemn *other* individuals whom we, in our august judgement, deem guilty of the same crime.

I pointed this out in *The First Stone* when I demonstrated that St. Pius X's 1911 decree excommunicating Arnold Harris Mathew, H.I. Beale and A.W. Howarth applied to them and them alone. It is folly to argue by an analogy claiming that the St. Michael folks have committed identical crimes and are therefore subject to the identical condemnation. The historical facts of the Mathew case are *alone* sufficient to demolish the argument.³ But it collapses still more quickly when you understand how such a decree applies.

³ Among other things, those who claimed the decree applies to the St. Michael group assume that Mathew, Howarth and Beale were Catholics who, at the moment of their consecration, were instantly transformed into schismatics. Their assumption is false and based on a gigantic factual error, as may readily be seen by perusing the chapter on Mathew in Peter F. Anson, *Bishops at Large*, (London: Faber 1964). These three renegade priests were, in fact, *already* schismatics long before their consecrations. Mathew (after leaving the Church in 1889), and Howarth and Beale (after 1901) repeatedly repudiated papal authority or engaged in rebellious acts which, under the law then in force, constituted the crime of schism. After 1901 Howarth and Beale publicly rebelled against the Bishop of Nottingham (under the pre-1917 Code, this was called *special schism*) and were both excommunicated. Beale compounded his crime by setting up a quasi-Old Catholic chapel in London in open defiance of the Catholic Archbishop of Westminster. Howarth, Beale and Mathew aligned themselves with another priest, Richard O'Halloran, who had taken his congregation in Ealing into schism in 1895. Mathew's consecration in 1908 (by the Old Catholics of Utrecht) and Howarth and Beale's consecration in 1910 (by Mathew) were only part of their schismatic program. Mathew, moreover, made it clear to all that he was establishing an Old Catholic sect in England to draw Catholics away from the Church. Rome and the English Catholic hierarchy ignored the consecrations. It was only after Mathew, Howarth and Beale directly manifested their refusal "to be subject to the Supreme Pontiff" – schism was defined the same then as now (see D. Craisson, *Manuale Totius Juris Canonici*, [Poitiers: Oudin 1875], 4:6131) – that St. Pius X officially declared them to be schismatics. This they did when, in January 1911, they sent the Saint an impudent letter, boldly announcing the illicit consecration of Howarth and Beale, their creation of a new sect and their election of Mathew as their head. This final defiant act, and not their consecrations alone, prompted their excommunication as schismatics. These facts should be more than enough to demonstrate there are no parallels with the case of St. Michael's.

A papal decree of excommunication against named individuals, put bluntly, is a one-shot deal. If you're condemned by *name* in the decree, or if you're part of the specific *group* condemned in the decree, you have been excommunicated. If you're *not* named or *not* part of the group, you're *not* excommunicated.

And no one (unless he's wearing a tiara and sitting on Peter's Throne) has the right to say that the decree "should" apply to you, and that therefore you're excommunicated, a schismatic or outside the Church. No name in the decree. No crime, no excommunication, no schism, no nothing. Period.

Even if the facts of the St. Michael's group history, therefore, were *identical* to the facts in the Mathew case, we *still* could not claim that the Saint's decree rendered the group's members excommunicated and schismatics.

Another canonist, Father Eduardo Regatillo, provides the reason in a 1954 work:

It is not allowed to transfer a punishment from one person to another, or from one case to another, even though an equal or more serious reason be present. Here, an argument from an equal case (*a pari*) or from a stronger case (*a fortiori*) does not apply. *Punishments do not go beyond an individual case.*⁴

Again, it's a merciful interpretation far unlike that which one expects from present-day traditionalist clergy – but again, there's no doubt about whose interpretation is correct. Father Regatillo was Dean of the Canon Law faculty at Madrid's Pontifical Comillas University, and author of such classics in moral theology and canon law as the *Theologiæ Moralis Summa*, *Institutiones Juris Canonici*, *Interpretatio et Jurisprudentia Codicis*, and *Jus Sacramentarium*, works together comprising over 6,000 pages.

If Regatillo says a punishment can't "jump," therefore, it's a safe bet it can't.

⁴ Eduardo F. Regatillo SJ, *Theologiæ Moralis Summa*, (Madrid: BAC 1954), 3:1027. My emphasis.

As usual, we'll sum up our principal points.

- 1) Since the facts of the St. Michael case can in no way be compared to the facts of the Mathew case, and since "punishments do not go beyond an individual case," one cannot claim that St. Pius X's decree against Mathew renders the members of the St. Michael group schismatic or excommunicated.
- 2) Church law defines a "schismatic" as one who pertinaciously refuses to be subject to the Pope or refuses to be in communion with the members of the Church subject to him.
- 3) There is no evidence whatsoever that even *one* member of the St. Michael group – priest, sister or layman – has refused to be subject to the Pope or has refused to be in communion with the members of the Church subject to him.
- 4) Since church law and the facts are so clear, therefore, we *cannot* say that any individual associated with the Mount St. Michael group is a schismatic.

What at first appeared complex is thus resolved very simply – without accusation, condemnation or polemic; without arguing over ancient scandals, long regretted, corrected and atoned for – but with three dozen words from the law of the Church.

May Our Lord, who opens heaven and closes hell with but three words – "I absolve you" – grant the priests, religious and faithful on both sides in this controversial chapter of Church history that fullness of peace and foretaste of paradise, which is the inheritance of the Church Militant, even in this vale of tears.

Fight we must, for we are the Church *Militant*. But pray God that tomorrow will see us in the remnant Church close ranks and unite against our true foe.

Enough said...

Cincinnati
Feast of St. Josaphat
14 November 1991

HAVE I “REJECTED THE AUTHORITY OF THE POPE?”

A Letter to The Remnant

Rev. Anthony Cekada

Catholic Restoration, Vol. II, No. 5, Nov.-Dec. 1992

Note: In his column in an April 1992 *Remnant*, Michael Davies reprinted a favorable review of my recent study, *The Problems with the Prayers of the Modern Mass* (Rockford IL: TAN Books 1991). The editor of *The Remnant*, Walter Matt, appended his own commentary to the review, and stated that I have “apparently rejected the authority of the Pope.” In a subsequent issue, Mr. Matt printed a letter to the editor attacking me on the same grounds.

The charge is utterly false and unfairly portrays me as a schismatic. The following is a letter I sent to *The Remnant* shortly after the first article appeared. The letter was finally printed in the 30 September 1992 *Remnant*, with a number of typographical errors. For the record, here is the original text:

May 25, 1992

Editor, *The Remnant*:

I commend Walter Matt and Michael Davies for their objectivity in printing a review of my study, *The Problems with the Prayers of the Modern Mass*. (*The Remnant*, April 30, 1992.) We have indeed often disagreed over the source of the problem in the post-Conciliar Church and over the solutions to be applied. Some of my past writings dealing with Mr. Matt and Mr. Davies, moreover, wandered off into personal attacks instead of coolly sticking to issues. Age makes one a bit wiser, and I apologize for any offense.

I must write, however, in order to correct Mr. Matt’s unfortunate statement that “sedevacantists” – he lumps me among them – have “apparently rejected the authority of the Pope.” I fear Mr. Matt has misunderstood something.

All traditional Catholics know the disastrous effects the changes produced. We resisted those changes as harmful to

souls, even though they were approved with what purported to be the authority of the Church. All of us have grappled with the problem of how to reconcile the doctrine of the indefectibility of the one, true Church of Christ and her authority on one hand, with the state of the post-Vatican II Church on the other.

Traditional Catholics have offered various solutions. Some (including *The Remnant* and Mr. Davies, I assume) base their resistance to the changes on the notion that individual members of the post-Conciliar hierarchy are abusing their authority. Others (sedevacantists) contend that men who have defected from the faith now occupy the Holy See and all (or most) episcopal sees, and that all such sees at present are therefore juridically vacant – or that there is at least a *doubt* present as to whether the current occupants of these sees obtained or retain juridical authority.

The sedevacantist position – I risk oversimplifying a complex issue – flows from two considerations: one of *fact*, the other of *law*.

1. Fact. Certain pronouncements of Vatican II and the post-Conciliar popes on religious liberty, ecumenism and various other doctrinal matters appear to contradict, sometimes word for word, previous Church teachings, or appear to propose as true certain teachings which the Church has condemned in the past. Those who adhere to the sedevacantist position would contend that such pronouncements represent a public defection from the Catholic faith.

2. Law. According to church law, public defection from the Catholic faith automatically deprives a person of all ecclesiastical offices he may hold. Theologians and canonists such as St. Robert Bellarmine, Cajetan, Suarez, Torquemada, and Wernz and Vidal maintain, without compromising the doctrine of papal infallibility, that even a *pope* may himself become a heretic and thus lose the pontificate. (Some of these authors also maintain that a pope can become a schismatic.) This possibility is recognized even by an authoritative commentary on the 1983 Code of Canon Law:

Classical canonists discussed the question of whether a pope, in his private or personal opinions, could go into heresy, apostasy, or schism. If he were to do so in a notoriously and widely publicized manner, he would break communion, and according to an accepted opinion, lose his office *ipso facto*. (c. 194 §1, 2^o). Since no one can judge the pope (c.1404) no one could depose a pope for such crimes, and the authors are divided as to how his loss of office would be declared in such a way that a vacancy could then be filled by a new election. (James A. Corridan et al. editors, *The Code of Canon Law: A Text and Commentary* commissioned by the Canon Law Society of America [New York: Paulist 1985], c. 333.)

Now, one who opposes the sedevacantist position may care to argue that members of the modern hierarchy are not guilty of heresy, or that (*pace* Robert Bellarmine and commentators on the 1983 Code) a pope *cannot* fall from office through heresy.

It is unfair and unreasonable, however, to assert that the sedevacantist – who merely puts two entirely defensible propositions together and draws a logical conclusion from them – has “rejected the authority of the Pope.” Such is tantamount to calling the sedevacantist a schismatic. But he is no such thing, as is evident from one highly respected commentary on the Code:

Finally, one cannot consider as schismatics those who refuse to obey the Roman Pontiff because they would *hold his person suspect* or, because of widespread rumors, *doubtfully elected* (as happened after the election of Urban VI), or who would resist him as a civil authority and not as pastor of the Church. (Wernz-Vidal, *Ius Canonicum* [Rome: Gregorian 1937], 7:398, my emphasis.)

I concede (ruefully) that members of the sedevacantist camp have frequently adopted a rabid tone against others in the traditional movement. But sedevacantists aren't the only ones guilty of this. Their opposite numbers in the movement – partisans of positions similar to those of Mr. Davies or *The*

Remnant or the St. Pius X Society – have in return consistently tried to demonize the sedevacantists.

All this poisons the atmosphere and makes impossible any rational discussion of a serious and complex issue.

It doesn't have to be this way. Recently the Rev. Donald J. Sanborn (*Catholic Restoration*, December 1991 and May 1992) and the Most Rev. Richard Williamson ("Letter to Friends and Benefactors," April 1992) crossed swords (pens, actually) over the *sede vacante* thesis. While each strongly criticized the other's position, they both managed to do so without resorting to the nasty and irrational polemics which usually characterize such exchanges. An enlightening debate resulted.

I'm announcing, therefore, the foundation of a new school of thought for traditional Catholics who wish to debate the pope issue: "sedevacationism."

The first part is from *sede* – as in "Sit down." The second part is from *vacation* – as in "...and take a vacation from reading out of the Church those with whom you debate."

Anyone care to join?

In Christo,

- The Rev. Anthony Cekada

THE VALIDITY OF THE THUC CONSECRATIONS

Rev. Anthony Cekada
Sacerdotium 3, Spring 1992

During a conversation with Archbishop Marcel Lefebvre in 1980, I hinted about my worries over finding a bishop after his death who would ordain traditional Catholic priests and confirm our children.

The archbishop – at that time he hadn't indicated whether he would one day consecrate bishops – tactfully replied that the question worried *him*, too, and that “Deus providebit” – God will provide. He added, with one of his trademark French chuckles, that each time he had a coughing or sneezing fit in the seminary chapel at Ecône, he could almost hear the 80 seminarians silently change their prayer to just one fervent petition: “God, let him live – at least till he ordains me!”

The amusing anecdote highlights a serious issue: As traditional Catholics, the sacraments are the center of our spiritual life and the key to our salvation. We know that if we want to hear Mass, receive Holy Communion, have our sins absolved and be fortified by the Last Rites, we need priests. And we know that only bishops can make priests.

Where, then, can we go to find bishops who will ordain traditional Catholic priests, and thus ensure that the traditional Latin Mass will continue to be celebrated at our altars?

The laity and clergy connected with the Society of St. Pius X (nervous seminarians in particular) need worry no longer. On 30 June 1988 Abp. Lefebvre and the retired bishop of Campos, Brazil, Antonio de Castro-Mayer, consecrated four bishops for the Society of St. Pius X. These bishops have since ordained more priests for the Society and recently consecrated a bishop to succeed Bp. Mayer in Campos.

The Lefebvre bishops limit their episcopal ministrations

only to those chapels and clergy who accept unquestioningly all the Society's theological opinions and who surrender legal control of their property to the Society. Likewise, these bishops will ordain to the priesthood only those seminarians who swear fealty to the Society's positions.

Many traditional priests disagree with the Society's positions and policies. We can hardly look to a Lefebvre bishop if we want children from our chapels to receive the Sacrament of Confirmation. Still less could we found a seminary to train the clergy who will one day succeed us, and then imagine that the Lefebvre bishops would ordain to the priesthood the seminarians we would train.

But Lefebvre bishops are not the only option. In the U.S. at present there are six traditional Catholic clergymen who are commonly referred to as the "Thuc" bishops. Unlike the Lefebvre bishops, the Thuc bishops are not connected in a single organization. They operate independently of each other (like most traditional priests), though some of them do co-operate together in certain apostolic works.

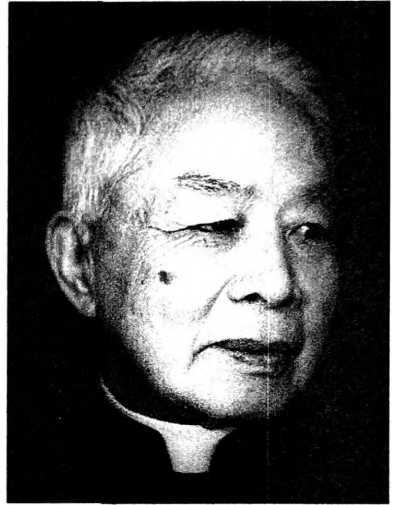
Like traditional Catholic priests, too, the six Thuc bishops are a diverse lot. Five are older men who were trained and ordained to the priesthood before the disastrous post-Vatican II changes hit; one (a younger man) received a traditional formation and was ordained a priest in the old rite well after Vatican II. Three were diocesan priests; three were members of different religious orders. Four of the bishops graciously cooperate with traditional Catholic chapels and clergy outside their own particular milieu; two bishops are definitely off in separate orbits. Of the six bishops, one has a reputation as a notorious troublemaker, another is not particularly well known one way or the other, and the other four (two of them recently consecrated) are well regarded in the circles where they pursued their apostolate, either through their writings or their sacramental ministry.

The Thuc bishops in the U.S. all trace their episcopal consecrations to one of two men:

- Bishop M.L. Guérard des Lauriers OP, formerly a professor at the Pontifical Lateran University in Rome and at the Society of St. Pius X's seminary in Ecône, Switzerland (he was one of my teachers), and the author of the famous *Ottaviani Intervention*.
- Bishop Moises Carmona Rivera, a diocesan priest from Acapulco who for years offered the traditional Mass for sizable groups of the faithful in various parts of Mexico.

In 1981 Bps. Guérard and Carmona were consecrated bishops by one man: Archbishop Pierre Martin Ngô-dinh-Thuc (†1984), former Archbishop of Hué, Vietnam.

Abp. Thuc, appointed by Pius XI and consecrated a bishop in 1938, founded the Diocese of Vinh-long and was named Archbishop of Hué in 1960. In 1963, while Abp. Thuc was in Rome for the Second Vatican Council, his brother, Ngô-dinh-Diem, President of South Vietnam, was overthrown and murdered in a coup. Unable to return to Vietnam and treated by the Vatican as an outcast, Abp. Thuc eked out a meager existence serving as a substitute Assistant Pastor in various parishes near Rome.



His interest in the traditional movement appears to have begun in early 1975 when he visited Abp. Lefebvre's seminary in Ecône, Switzerland. The event would turn out to be a mixed blessing. There Abp. Thuc struck up an acquaintance with Father M. Revaz, former Chancellor of the Swiss Diocese of Sion and professor of Canon Law at the Ecône seminary. Later in 1975, Father Revaz convinced Abp. Thuc that the solution to the Church's problems were to be found in alleged "Marian apparitions" at Palmar de Troya, Spain,

and he urged the Archbishop to consecrate bishops for the Palmar supporters, who wished to preserve the traditional Mass. Abp. Thuc agreed and performed the consecrations in December. The next year, however, Abp. Thuc repudiated his connections with the Palmar group.¹

Traditional Catholics who discuss Abp. Thuc's subsequent activities in the traditional movement seem to fall into two opposing camps. The first group canonizes him by portraying him as a valiant hero who consistently rejected all the errors of the post-Conciliar Church. The second group insults him by painting him as an old fool who lacked enough presence of mind to confer a valid sacrament.

Both groups are wrong. On one hand, while Abp. Thuc did say the traditional Mass, he was hardly another Athanasius. His actions and his statements on the situation in the Church were, like Abp. Lefebvre's, often contradictory and mystifying. And like Abp. Lefebvre, he too apparently accepted a deal with the Vatican and later changed his mind. On the other hand, theological zig-zagging and errors of practical judgement prove only that a given archbishop (take your pick) is human and fallible. They do *not* prove that he's lost the tiny mental minimum which the Church says makes his sacraments valid.

But we've digressed a bit. Our purpose here is not to review the ins and outs of Abp. Thuc's career. Rather, we want to determine whether or not the six Thuc bishops in the U.S. are validly-consecrated bishops – that is, whether or not they possess the sacramental power possessed by all Catholic bishops to administer the Sacrament of Confirmation, to ordain priests who are real priests, and to consecrate other bishops who are real bishops.

This sacramental power, called the Apostolic Succession, passes from one Catholic bishop to all the bishops he consecrates. They in turn pass this sacramental power on to all the bishops *they* consecrate, and so on.

¹ *Einsicht* 11 (March 1982), 12. "Je n'ai plus de relations avec Palmar depuis leur chef se proclame Pape. Je désapprouve tout ce qu'ils font."

To pursue our inquiry, therefore, we must look to the episcopal consecrations of the two prelates to whom the six Thuc bishops in the U.S. trace their consecrations: Bps. Guérard and Carmona. If the episcopal consecrations of the latter two must be regarded as valid, then the line of orders which proceeds from them is likewise valid.

Now, as we shall demonstrate below, the pertinent facts and the pronouncements of popes, canonists (canon law experts) and Catholic moral theologians all lead to one unavoidable conclusion: we are obliged to regard as valid the episcopal consecrations Abp. P.M. Ngô-dinh-Thuc conferred on M.L. Guérard des Lauriers and Moises Carmona Rivera.

Since the consecrations of Bps. Guérard and Carmona were valid, we are likewise obliged to regard as valid the line of orders which proceeds from them, and thus to hold that the priests ordained in this line are truly priests and that the bishops consecrated in this line are truly bishops.

1. Some Notes on the Investigation

In 1982 two Americans made their debuts as Thuc bishops in the U.S. The circumstances surrounding their appearance, put mildly, did not bode well for the future.

One of them was a priest then relatively new to the traditional movement, and the details of how or why he had been selected for episcopal consecration were never entirely clear. The other all but jumped through hoops pursuing his miter. As a priest in February 1982, he boasted of his support for John Paul II. Shortly thereafter, word of the Thuc bishops and their hard line against John Paul II began to spread. In June he embraced the sedevacantist position. In August the other American consecrated him a bishop.

Thereafter, the two bishops cranked out denunciations, split several chapels, issued "excommunications," pretended to set up dioceses, and otherwise pursued the sort of follow-me-or-die program so endemic among traditional clergy.

In January 1983 I published a lengthy article exposing

these goings-on, together with a warts-and-all portrait of Abp. Thuc. I did not examine the issue of whether the consecrations were valid, but noted that “further research would be needed to ascertain what theologians and canonists consider sufficient evidence for validity in such a case.”²

Absent such research, I was personally inclined to view the consecrations as doubtful. So too my fellow priests in the Northeast. Moreover, even after we had been expelled from the Society of St. Pius X in April 1983, the activities of the two American Thuc bishops rendered the idea of cooperating with them morally impossible. And there the matter rested for about two years.

In 1985 one of my confrères, the Rev. Donald J. Sanborn, suggested that our group approach Don Antonio de Castro-Mayer, the retired Bishop of Campos, Brazil, to see if he’d be willing to ordain priests for us, or at least offer some advice. This prelate had taken a strong stand against the New Mass, and his position on John Paul II was said to be much harder than Abp. Lefebvre’s.

Father Sanborn visited Campos in April 1985 and spoke at great length with Bp. Mayer. The bishop, it turned out, confined his apostolate to Brazil.

When Father Sanborn broached the topic of who could ordain priests for us, Bp. Mayer said: “Go to Guérard!”

Father Sanborn said that he doubted the validity of Bp. Guérard’s episcopal consecration. The bishop replied: “If it’s valid for Guérard, it’s valid for me.” Father Sanborn explained some of his hesitations. Bp. Mayer answered: “Guérard is the most qualified person in the world to determine if the consecration was valid.”

On his return, Father Sanborn suggested that some of us research the principles moral theologians employ to determine whether an episcopal consecration is valid. Since I was skeptical of the consecrations, I volunteered to work along with him.

The investigation turned out to be a formidable task. Since

² *The Roman Catholic* 5 (January 1983), 8. (See p. 135)

1985 Father Sanborn and I have spent between us at least a thousand hours on research, much of it in the theology and canon law sections of Catholic university and seminary libraries throughout the U.S.³

The conclusion which began to emerge was, I admit, contrary to my initial expectation. There are no “special” or “extra” proofs which must be made before one can say that an episcopal consecration is valid. Canonists and theologians treat a consecration as they would any other sacrament. Once it’s been performed, it’s regarded as valid, and the “burden of proof” (if any) rests on those who *attack* its validity.

At a September 1988 priests’ meeting, Father Sanborn distributed a brief internal report to the priests on the theological principles to be applied. Father concluded that we had to regard the consecrations as valid.

Overall, I found the report convincing. In particular, Father’s comments corresponded with what I had uncovered in Pope Leo XIII’s Bull *Apostolicæ Curæ*.

A heated discussion ensued. Later that day, I spoke with the Rev. Clarence Kelly, the head of our organization. I mentioned that Leo XIII’s pronouncement seemed to demolish my objections to the validity of the consecrations – and his as well. He replied: “We *can’t* say that the consecrations [of the Thuc bishops] are valid – or some of our priests will want to get involved with them.”

At this point I concluded that the arguments against the validity of the consecrations might be based on something other than objective norms of sacramental theology.

After I left the Society of St. Pius V in July 1989, Father Sanborn and I continued to compare notes on our research. What follows is the product of our collaborative efforts. The lion’s share of credit belongs to Father Sanborn, who tracked down theological sources and papal decrees with fierce determination.

³ Among them: Catholic University, St. John’s, Fordham, Xavier, Marquette, Detroit, Dunwoodie, Douglaston, St. Francis and the Josephinum.

2. The Fact of the Consecrations

We begin our inquiry by asking two simple questions:

- On 7 May 1981 in Toulon, France, did Abp. Thuc perform the rite of episcopal consecration for Guérard des Lauriers using the traditional Catholic rite?
- On 17 October 1981 in Toulon, France, did Abp. Thuc perform the rite of episcopal consecration for Moises Carmona using the traditional Catholic rite?

The answer to both questions is yes.

But note that we've used a clumsy phrase. We've asked if Abp. Thuc *performed the rite* of episcopal consecration for two people, rather than asking if he *consecrated* them. Why?

To call attention to an important distinction between two things:

- The *fact* of a sacrament – i.e., did a ceremony *take place?* and
- The *validity* of a sacrament – i.e., did the ceremony *work?*

Catholic canonists and moralists such as Fathers Cappello,⁴ Davis,⁵ Noldin,⁶ Wanenmacher,⁷ and Ayrinhac⁸ take such a distinction for granted. So, too, do Church tribunals conve-

⁴ F. Cappello, *Tractatus Canonico-Moralis De Sacramentis*, (Rome: Marietti 1961), 1:21. "Quoties rationabile seu prudens adest dubium de *collato sacramento* necne aut de collati sacramenti *valore*." My emphasis.

⁵ H. Davis, *Moral and Pastoral Theology*. (New York: Sheed and Ward 1943), 3: 25. The "validity of a sacrament *bestowed*." My emphasis.

⁶ H. Noldin & A. Schmitt, *Summa Theologiæ Moralis* (Innsbruck: Rauch 1940), 3:27. "In sacramentis - - *dubium facti* habetur, si dubitatur, an sacramentum *re ipsa* collatum sit vel *quomodo* collatum sit, nempe cum debita materia, forma et intentione." His emphasis.

⁷ F. Wanenmacher, *Canonical Evidence in Marriage Cases*, (Philadelphia: Dolphin 1935), 500. " - - when the *fact* of baptism has been established, but the *validity* remains doubtful ..." My emphasis.

⁸ H. Ayrinhac, *Legislation on the Sacraments* (New York: Longmans 1928), 6. "Should a prudent doubt exist as to the *fact of their administration* or their *validity* ..." My emphasis.

ned to rule on the validity of a marriage⁹ or an ordination.¹⁰ Facts first, validity later.

In this section, therefore, we will not address the issue of validity (Did the consecrations *work*?), but merely the issue of *fact* (Did the ceremony *take place*; did Abp. Thuc *perform the rite*?)

Clearly, the Thuc consecrations took place. But since a few traditional priests have claimed that fact of the consecrations is not “proven” or “certain,” or can’t be “acknowledged,” we’ll take a few moments to prove the obvious.

a. Legal Limbo

When things were normal in the Church, it was easy to ascertain the fact that an episcopal consecration took place. You went to someone with authority. He looked up the particulars in an official register. If an authorized church official had duly recorded the consecration in the register, church law regarded it as a fact – “proven” in the eyes of church law. The same goes for baptisms, confirmations and priestly ordinations.

If these official registers were lost or accidentally destroyed, you took another route. You brought the evidence to someone with authority – a diocesan bishop or a judge in a Vatican tribunal, say. The official examined the evidence and issued a decree stating that so-and-so had received the sacrament.

These officials enjoyed a legal power called *ordinary jurisdiction* – authority, deriving ultimately from the pope, to command, make laws, punish and judge. Part of that authority consisted in the power to establish in the eyes of church law the fact that a given sacramental act took place – to function as a sacramental counterpart to the Registrar of Deeds.

In both cases – that of either official registers or hierar-

⁹ *Code of Canon Law*, Canon 1014. “in dubio standum est pro valore matrimonii, donec contrarium probetur ...”

¹⁰ See S.C. Sacraments, Decree 9 June 1931, *Acta Apostolicæ Sedis* 23 (1931), 457ff.

chical decrees – someone with *ordinary jurisdiction* was exercising his power. He judged he had sufficient legal evidence that, say, a particular ordination had been performed. He entered it into the official register, or issued a decree. The fact of the ordination was then established before the law.

In contrast to this, consider my own ordination. It's a *fact* that Archbishop Lefebvre ordained me to the priesthood in Ecône, Switzerland on 29 June 1977. But that fact has not been *legally* established. It's not recorded in the ordination register of the Diocese of Sion, as church law would require. Should normalcy return to the Church in my lifetime, I'd go to someone with ordinary jurisdiction. He would then rule on the evidence and issue a decree which would *legally* establish the fact of my ordination.

Where does this leave the fact of the Thuc consecrations? In the same place it leaves my ordination, the Lefebvre consecrations and all sacraments traditional Catholic clergy confer: in a sort of legal limbo. Since no one in the traditional movement possesses ordinary jurisdiction, no one has the power to rule on the legal evidence that a particular sacrament was performed and then establish it as a fact before church law. That's a function of church officials who have received their authority from a pope.

Nevertheless, we traditional Catholics can and do establish the fact that we have conferred or received sacraments. The means we use is *moral certitude*, a simple concept we'll apply to the Thuc consecrations, just as we do to any other sacrament.

b. Documentation

Unlike the Lefebvre consecrations in 1988, the Thuc consecrations received little or no publicity in the United States. Nevertheless, it's easy to document the fact that the ceremonies took place. Here are some sources:

- Published photographs of Bp. Guérard's 7 May 1981 consecration.¹¹

¹¹ *Einsicht* 12 (May 1982), 4-6, see also vol. II, p. 120

- Published photographs of Bp. Carmona's and Bp. Adolfo Zamora's 17 October 1981 consecration.¹²
- Accompanying captions stating that Abp. Thuc performed the consecrations according to *The Roman Pontifical* (1908 edition).¹³
- A February 1988 interview, conducted under oath, with Dr. Kurt Hiller, who was present at both consecrations and who held the ritual book (*The Roman Pontifical*) for Abp. Thuc as he performed the rite of consecration.¹⁴
- A sworn affidavit of Dr. Eberhard Heller, who was also present at both consecrations, attesting that Bps. Guérard, Carmona and Zamora were consecrated bishops by Abp. Thuc and that "The consecrations followed *The Roman Pontifical* (Rome: 1908)."¹⁵
- A letter from Josef Cardinal Ratzinger to Abp.

¹² *Einsicht* 11 (March 1982), 14-19, see also vol. II, pp. 119 & 125.

¹³ *Einsicht* 11 (March 1982), 14. "Bischofsweihe S.E. Mgr. M.-L. Guérard des Lauriers, o.p.: in Toulon am 7. Mai 1981; Konsekrator: S.E. Mgr. Pierre Martin Ngô-dinh-Thuc: nach dem 'Pontificale Romanum summorum pontificum jussu editum a Benedicto XIV et Leone XIII. Pont. Max.' (Ratisbonæ, Romæ, etc. 1908)." "Bischofsweihe S.E. Mgr. Moises Carmona und S.E. Mgr. Adolfo Zamora in Toulon am 17 Oktober 1981; Konsekrator: S.E. Mgr. Pierre Martin Ngô-dinh-Thuc: nach dem 'Pontificale Romanum' (Ratisbonæ, Romæ, etc. 1908, S. 520 ff).
¹⁴ Clarence Kelly, et al., Interview with Dr. Kurt Hiller, Munich, February 1988, *passim*.

¹⁵ Eberhard Heller, "Eidesstattliche Erklärung zu den Bischofsweihe von I.E. Mgr. M.L. Guérard des Lauriers, Mgr. Moises Carmona und Mgr. Adolfo Zamora," *Einsicht* 21 (July 1991), 47. "Um noch bestehende Zweifel an den von S.E. Mgr. Pierre Martin Ngo-dinh-Thuc gespendeten Bischofsweihe, die z.B. von bestimmten Personen und Gruppen in den U.S.A. geäußert werden, und weil seine Excellenz inzwischen verstorben ist, er sich also dazu selbst nicht mehr äußern kann, erkläre ich an Eides statt, da ich den betreffenden Konsekrationen durch Mgr. Ngo-dinh-Thuc persönlich beiwohnte: Ich bezeuge, daß S.E. Mgr. M.L. Guérard des Lauriers O.P. am 7. Mai 1981, I.E. Mgr. Moises Carmona und Mgr. Adolfo Zamora am 17 Oktober 1981 in Toulon, Frankreich von S.E. Mgr. Pierre Martin Ngo-dinh-Thuc zu Bischöfen der hl. katholischen Kirche geweiht wurden. Die Konsekrationen erfolgten nach dem 'Pontificale Romanum' (Rom 1908). Mgr. Ngo-dinh-Thuc spendete die Weihe im Vollbesitz seiner geistigen Kräfte und in der Absicht, der Kirche aus ihrer Notsituation herauszuhelfen, die er in seiner 'Declaratio' über die Sedisvakanz vom 25. Februar 1982 präzierte. München, den 10. Juli 1991. E. Heller."

Thuc, which speaks of the Vatican's "well-founded inquiry" into the consecrations, and which specifically notes that Abp. Thuc consecrated Guérard, Carmona and Zamora.¹⁶

- A 1983 Vatican statement which mentions by name those who were consecrated, and (as one would expect) denounces the consecrations.¹⁷
- A published letter of Abp. Thuc, dated 11 July 1984, in which he acknowledges that he conferred the episcopate in 1981 on "several priests, namely Revs. M.L. Guerard des Lauriers, O.P., Moses Carmona, and Adolfo Zamora."¹⁸
- A published interview with Bp. Guérard in which he attests that Abp. Thuc consecrated him on 7 May 1981, that "the consecration was *valid*," that "the traditional rite was followed integrally (except for the reading of a Roman mandate)," and that "Abp. Thuc and I had the intention to do what the Church does."¹⁹
- An interview with Bp. Guérard where he again affirmed he had been consecrated on 7 May 1981, and that the rite was followed integrally.²⁰
- An interview with the Rev. Noël Barbara, conducted under oath, in which Father Barbara stated that he visited Abp. Thuc in 1982, and that Abp. Thuc then acknowledged that he did, in fact, con-

¹⁶ Ratzinger to Thuc, Letter 1 February 1983. "Après le délai nécessaire à une enquête fondée, la S. Congrégation pour la Doctrine de la Foi a pu s'assurer qu'au moins depuis 1981 - - vous avez également conféré - - l'ordination épiscopale au religieux français M.L. Guérard des Lauriers, OP, ainsi qu'aux prêtres mexicains Moises Carmona et Adolfo Zamora."

¹⁷ S.C. Pro Doctrina Fidei, Notificatio 12 March 1983, *Acta Apostolicæ Sedis* (April 1983).

¹⁸ *L'Osservatore Romano*, English edition, 24 December 1984.

¹⁹ *Sodalitium* 4 (May 1987), 24. "Affermo che questa Consecrazione è *valida* - - Atteso che: 1) il rito tradizionale è stato integralmente osservato (fatto eccezione della lettura del 'mandato romano!'); 2) Mons. Thuc ed io avevamo l'intenzione di fare ciò che fa la Chiesa." His emphasis.

²⁰ Joseph F. Collins, Notes of Interview with Guérard, La Charité (France), August 1987.

All these sources, of course, agree on the key issue: the fact that Abp. Thuc performed the rite of episcopal consecration for M.L. Guérard des Lauriers on 7 May 1981, and again for Moises Carmona and Adolpho Zamora on 17 October 1981.

The statements of Dr. Heller, Dr. Hiller, Bp. Guérard and the photo captions (written by Dr. Heller), moreover, are in accord on another key issue: the fact that Abp. Thuc used the traditional rite to perform the consecrations.

c. An Established Fact

Faced with this documentation, the reader sensibly concludes that it is a *fact* that Abp. Thuc performed these consecrations and a *fact* that he used the traditional Catholic rite. Why? The documentation all points to the same basic facts. The parties involved never changed their stories on these facts. It “rings true.”

The “sound of truth” we hear, when considering facts about this or any other matter, results from *moral certitude*, a common-sense standard we employ all the time.

Catholic moral theologians say that moral certitude occurs when we realize it’s impossible for us to be wrong about a particular fact, since the opposite of that fact is so unlikely that we know it would be imprudent to believe it.²² It therefore involves considering the *opposite* of something to see how likely it is.

An example will help here: I didn’t see Elvis Presley die. But his wife, the doctor, the sheriff and the undertaker all say he died. I then consider the opposite: that Elvis lives and stalks the aisles of my supermarket. But that would mean that the four people who saw his dead body and who say he’s

²¹ Clarence Kelly, et al., Interview with Noël Barbara, Greenwich CT, May 1990.

²² See J. McHugh & C. Callan, *Moral Theology*, New York: Wagner 1929), 1:643. “Judgments are *morally* certain, when error is impossible according to what is customary among mankind, the opposite of what is held by the mind being so unlikely that it would be imprudent to be moved by it.”

dead are all liars, involved in a massive conspiracy. This is all so unlikely that I couldn't possibly believe it. I've therefore arrived at moral certitude about a fact: Elvis – "The King" – is indeed dead.

To arrive at moral certitude about the Thuc consecrations, therefore, we consider whether the *opposite* of the evidence we have is likely enough to be believable: i.e., that Abp. Thuc did *not* perform either Bp. Guérard's or Bp. Carmona's consecration, or that, if he did, he did *not* use the traditional rite.



Elvis Presley (1935-1977?),
American singer, branded
"The King" of Rock and Roll

Thuc did *not* use the traditional rite.

This presupposes scenarios like the following: (1) That Abp. Thuc, Bp. Guérard, Bp. Carmona, Bishop Zamora (now deceased), and two arch-sedevacantist laymen lied, faked photos on two occasions, committed perjury in two instances, and engaged in a complex and well-orchestrated conspiracy. (2) That the six different people most directly involved were completely mistaken about the fact that two episcopal consecrations took place. (3) That Guérard, Carmona and Zamora subsequently conferred ordinations and episcopal consecrations they knew were null and void. (4) That Guérard, Carmona

and Zamora, aided and abetted by Drs. Hiller and Heller, allowed Abp. Thuc to consecrate them bishops with some rite *other* than the traditional Catholic rite. (5) That the persons involved with the consecrations also deceived Vatican officials about the event, or got the Vatican to participate in the conspiracy.

These scenarios, obviously, are preposterous and absurd, and no evidence whatsoever exists to support them. But they're the only kind of theories someone can put forward if

he wants to say that we have no moral certitude about the fact of the Thuc consecrations. And if someone finds these alternatives believable or likely, all I can tell him is: Keep your eyes open in the supermarket.

This leaves us with *moral certitude* about the fact of the Thuc consecrations, certitude “which excludes all fear of error and every serious or prudent doubt.”²³ This is all that theologians require for any sacrament. Since we have no serious or prudent ground to doubt that the consecrations took place and that the old rite was used, we must regard both occurrences as established facts.

3. The Validity of the Consecrations

We now turn to the question which occasioned this study:

- Are we obliged to regard the Thuc consecrations as *valid* – i.e, as having *worked*?

Based on the principles church law and moral theology apply to all the sacraments, we are obliged to answer yes.

To understand why, we have but to recall how little is required to perform a valid episcopal consecration, and how church law and moral theologians consider those requirements as met in a given case, unless there is *positive evidence* to the contrary.

a. A Recipe for Validity

Among the many beautiful ceremonies of the Catholic Church, the Rite of Episcopal Consecration is surely the most splendid and the most complex. It takes place on the feast of an Apostle, usually before a large gathering of the faithful. In its most solemn form, the bishop who performs the rite is assisted by two other bishops (called “Co-Consecrators”), 11 priests, 20 servers and 3 Masters of Cere-

²³ McHugh & Callan, 1:645.

monies.²⁴ To perform an episcopal consecration observing all the elaborate ceremonial directions takes about four hours.

On the other hand, to perform an episcopal consecration *validly* takes about 15 *seconds*.

This is about the length of time it takes a bishop to impose his hands on a priest's head and recite the 16-word formula the Church requires for validity.

The foregoing may startle the lay reader. But the case is akin to something we all learned in catechism class. All you need to baptize someone validly is ordinary water and the short formula (I baptize thee, etc.). It was so simple that even a Moslem or a Jew could get it right if someone really wanted to be baptized. And once the water was poured and the short formula was recited, you'd be just as validly baptized, and just as much a Christian as if the pope himself had done it in St. Peter's Basilica.

The recipe the Church lays down for a valid episcopal consecration is equally simple. Other than a validly-consecrated bishop to perform the rite and a validly-ordained priest who intends to receive consecration, there are just three ingredients essential for validity:

- 1) The imposition of hands by the consecrating bishop (technically called the *matter* of the sacrament).
- 2) The essential 16-word formula recited by the consecrating bishop (technically called the *form* of the sacrament).²⁵
- 3) A minimal intention on the consecrating bishop's part "to do what the Church does" (called *ministerial intention*).

Though all the ceremonies prescribed in the rite should be observed, the three foregoing elements are *all* that is required for an episcopal consecration to be *valid*.

²⁴ J. Nabuco, *Pontificalis Romani Expositio Juridico-Practica* (New York: Benziger 1945), 1:218.

²⁵ For validity, it is not even necessary that the bishop get all the words exactly right, as long as he does not change the meaning substantially. See E. Regatillo, *Jus Sacramentarium* (Santander: Sal Terræ 1949), 873.

b. Burden of Disproof

Once you're certain of the fact that a real bishop performed a consecration using a Catholic rite, is it then necessary to prove positively that the bishop did *not* omit one of these essential elements during the ceremony?

No. The mere fact that a bishop used a Catholic rite is of *itself* sufficient evidence for validity, which thereafter requires no further proof. Validity becomes a "given," which can only be *disproved*. And this can only be achieved by demonstrating that one of the ingredients essential to validity was either absent (or probably absent) when the ceremony was performed.

This applies to *all* the sacraments and is evident from:

1. Ordinary Pastoral Practice. Day-to-day sacramental record-keeping takes for granted that the minister of a sacrament fulfilled the essential requirements for validity. Official baptismal and ordination registers say nothing whatsoever about technical terms such as "matter," "form" or "ministerial intention." And sacramental certificates merely state that so-and-so received a sacrament "with all necessary and fitting ceremonies and solemnities," or simply "according to the rite of the Holy Roman Church." They say nothing more, because church law requires nothing more. Such sacraments are regarded as valid without further proof.

2. Canonists. Canonists speak of "the queen of presumptions, which holds the act or contract as valid, until invalidity is proved."²⁶ It is applied to the sacraments in the following way: If someone goes before a church court to challenge the validity of a Catholic baptism,²⁷ marriage²⁸ or

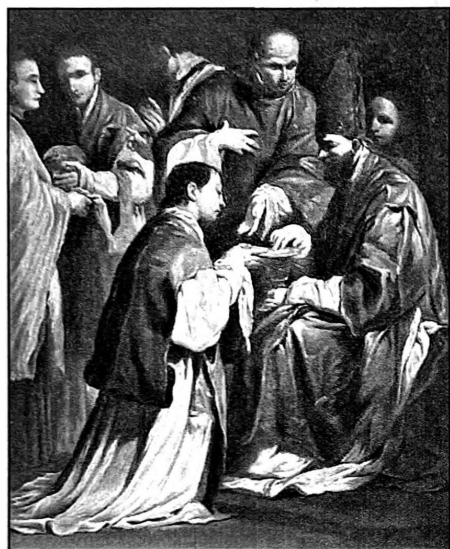
²⁶ Wanenmacher, 408.

²⁷ Wanenmacher, 500. "Similarly when the fact of baptism has been established, but the validity remains doubtful, there is a general presumption in favor of validity. This is especially true of Catholic baptism, and the presumption is elided only by a strict proof to the contrary."

²⁸ Wanenmacher, 411. "Under the Code marriage has the favor of law: hence when there is a doubt, we must hold to the validity of the marriage until the contrary is proved (c. 1014)."

ordination,²⁹ the burden of proof is on *him*. *He* must show that something essential was lacking when the sacrament was conferred.

3. Church Law and Moral Theology. These sources forbid readministering a sacrament conditionally unless there is a “prudent” or “positive” doubt about validity. (See 4.a below.) As an example of a doubt which would *not* fall



into this category, the Dominican moral theologian Fanfani speaks of a priest who does not recall whether he recited the essential sacramental formula. “He should repeat nothing,” says Fanfani. “Indeed, he sins if he does so – for *everything that is done must be supposed to have been done correctly, unless the contrary is positively established.*”³⁰ That the essential parts of the rite were performed is once

again simply taken for granted.

The canonist Gasparri (later a cardinal and compiler of the 1917 Code of Canon Law) offers a general principle: “...an act, especially one as solemn as an ordination, must be regarded as valid, as long as invalidity would not be clearly demonstrated.”³¹

²⁹ S. Woywood, *Practical Commentary on the Code of Canon Law* (New York: Wagner 1952), 1905. “A sacred order is presumed valid until its invalidity is established by proof to the effect that it was received with want of intention on the part of the petitioner.”

³⁰ L. Fanfani, *Manuale Theorico-practicum Theologiæ Moralis* (Rome: Ferrari 1949), 4:50. “E contra minister qui leviter tantum aut negative tantum, dubitat, de bona administratione alicuius sacramenti, e.g. non recordatur se verba formæ pronuntiasse, nil repetere debet, quinimmo peccat si facit: omne enim factum, supponendum est rite factum, nisi positive constet contrarium.” My emphasis.

³¹ P. Gasparri, *Tractatus de Sacra Ordinatione* (Paris: Delhomme 1893), 1:970. “- - tum quia actus, præsertim adeo solemnus qualis est ordinatio, habendus est ut validus, donec invaliditas non evincatur.”

4. Even Unusual Cases. Canonists and moralists even extend these principles to cases where someone other than the usual Catholic minister employs a Catholic rite to confer a sacrament. If a midwife who says she performed an emergency baptism is serious, trustworthy and instructed in how to perform baptisms, says the theologian Merkelbach, “there is no reason to doubt seriously the validity of a baptism.”³²

Finally, so strongly does the Church hold for the validity of a sacrament administered according to a Catholic rite, that she extends the principle not only to Catholic clergymen, but also even to *schismatics*. Thus ordinations and episcopal consecrations received from Orthodox bishops, and from Old Catholic bishops in Holland, Germany and Switzerland “are to be regarded as valid, unless in a particular case an essential defect were to be admitted.”³³

The foregoing, of course, reflects the Church’s reasonableness. She doesn’t ask us to disprove convoluted negative accusations – “Prove positively to me that you did not *omit* to do what you were supposed to do to make the sacrament valid.” Otherwise, hordes of specially-qualified witnesses would have to be trained to do an independent validity check each time a priest conferred a sacrament.

It is easy to see, therefore, why a sacrament administered with a Catholic rite must be regarded as valid till the contrary is positively established.

c. Validity

The requirements for a valid episcopal consecration, then, are minimal. And when a Catholic rite is employed for this or any other sacrament, ordinary pastoral practice, cano-

³² B. Merkelbach, *Summa Theologiæ Moralis* (Bruges: Desclée 1962) 3:165. “Ubi ergo persona omnino seria, etiam mera obstetrix, quæ sit fide digna, circumspecta, et in ritu baptizandi instructa, assereret infantem a se rite baptizatum esse, non esset cur de valore Baptismi serio dubitaretur; - -”

³³ U. Beste, *Introductio In Codicem* (Collegeville MN: St. John’s 1946), 951. “Hinc ordines collati ab episcopis schismaticis ecclesiæ orientalis, iansenistis in Batavia (Hollandia), veterum catholicorum in Germania et Helvetia, validi habendi sunt, nisi in casu particulari vitium essentielle admissum fuerit.”

nists, church law and moral theologians require no further proof for a sacrament's validity – even when it is administered by a midwife or a schismatic. Validity, rather must be *disproved*.

When we turn to consider the consecrations of Bp. Guérard and Bp. Carmona, three key facts are absolutely certain:

- 1) Abp. Thuc was a validly-consecrated bishop.
- 2) He performed the rite of episcopal consecration for Bp. Guérard on 7 May 1981 and for Bp. Carmona on 17 October 1981.
- 3) Abp. Thuc employed a Catholic rite for both consecrations.

We have a validly-consecrated bishop. He performed the rite of episcopal consecration. He used a Catholic rite. No further proof is needed. Therefore:

We are obliged to regard the episcopal consecrations Abp. P.M. Ngô-dinh-Thuc conferred on M.L. Guérard des Lauriers and Moises Carmona Rivera as valid.

4. Dubious Objections

As noted above, Bishop Antonio de Castro-Mayer accepted the validity of Bp. Guérard's consecration. Likewise the Papal Nuncio to the U.S., Archbishop Pio Laghi. While condemning Guérard's consecration as "illicit," he too acknowledged that it was "valid."³⁴ A query to either prelate about Bp. Carmona's consecration presumably would have prompted similar responses.

Although churchmen as far apart theologically as the traditionalist prelate of Campos and John Paul II's official representative in the U.S. can agree on the validity of the

³⁴ P. Laghi [to E. Berry], Letter 28 September 1988. "In response to your inquiry of September 23, 1988, the episcopal ordination of Guerard des Lauriers, while valid, was gravely illicit."

consecrations, a few traditional Catholic priests remained wary. Some honestly found certain issues puzzling. Others aggressively denounced the validity of the consecrations as “doubtful.”

We’ll deal with the latter group here. Each of their objections has been based on one of two things: (a) A gratuitous assertion which theologians would characterize as a “negative doubt,” which as such cannot be employed to impugn the validity of a sacrament. (b) A supposed “requirement” of church law or moral theology which turned out to have been invented by the objectors.

a. “Negative” Doubts

The only way a sacrament can truly be said to be doubtful is if you establish a *positive* (or prudent) doubt about its validity. A doubt is *positive* when it possesses a basis which is clearly objective and firmly rooted in reality. In the case of a sacrament, it must be founded on solid evidence that something essential to validity was probably omitted.

To establish a positive doubt about the validity of the Thuc consecrations, therefore, you’d have to prove that, when the rite was performed, a substantial defect either *did* occur or *probably* occurred in one of the following essential elements:

- The imposition of hands.
- The essential 16-word formula.
- The minimal intention of the bishop “to do what the Church does.”

Now *no one* who was present at the Thuc consecrations has ever said one of these defects occurred.

Absent any evidence whatsoever for such a defect, the objectors raise personal speculations, musings, conjectures, hypotheses and – a favorite device – rhetorical questions about what may or may not, or possibly could or could not, have occurred during the “essential 15 seconds” of the consecration.

The chief characteristic of such objections, however, is that they are subjective – i.e., rooted not in a *knowledge* of what occurred during the rite, but in the objector's *lack* of *personal* knowledge of what occurred. Such objections are what moral theologians call *negative* (or imprudent) doubts. And negative doubts don't render a sacrament "doubtful."

We'll limit ourselves to a few of the more frequently-repeated negative doubts.

Objection 1. *What if something essential were omitted and we don't know about it? Wouldn't it be terrible? Shouldn't we want to be really sure? Isn't it prudent to wonder? Isn't it prudent to doubt? Don't we need more proof? etc.*

Here we see a whole herd of negative doubts thundering along at full gallop. Observe how the procedure works: Lots of questions. Oodles of dark hints. But no pertinent and verifiable facts. And no underlying principle drawn from canon law or moral theology.

The response is simple: Catholic canonists, moral theologians and popes have told us what makes the validity of a sacrament morally certain. These are the prescriptions we must follow. We are engaged in making up our own religion when we pretend we can ask for more.

Objection 2. *I question whether Abp. Thuc "intended to do what the Church does," so the consecrations must be considered doubtful.*

A priest or bishop who confers a sacrament doesn't have to "prove" that he intends to do what the Church does. He is *automatically* presumed to intend what the rite means. This is certain theological doctrine, taught by the Church. And to deny it is "theologically rash."³⁵ Leo XIII specifically confir-

³⁵ B. Leeming, *Principles of Sacramental Theology* (Westminster, MD: Newman 1956), 482. "This principle is affirmed as certain theological doctrine, taught by the Church, to deny which would be theologically rash - - *the minister is presumed to intend what the rite means.*" His emphasis.

med the principle with regard to Holy Orders when he said that someone who seriously and correctly uses the matter and form “is for that very reason deemed to have intended to do what the Church does.”³⁶

We quoted above the canonist Gasparri’s statement that an ordination must be regarded as valid till invalidity is demonstrated. He also says that a bishop who confers Holy Orders is *never* presumed to have the intention of *not* ordaining someone as long as the contrary is not proved. For no one should be presumed to be evil, he adds, unless he is proven as such.³⁷

Attacking Abp. Thuc’s ministerial intention, therefore, is impermissible.

The mere attempt to do so, moreover, betrays an epic spirit of presumption. Investigating and trying cases where ordinations are impugned for lack of intention was the job of a Vatican court called the Holy Office. The pope himself then specifically confirmed the court’s decision.

Floating traditional clergy, therefore, have neither the right nor the authority to attack the ministerial intention of a validly-consecrated Catholic archbishop. The very idea is silly.

Objection 3. *I think Abp. Thuc was insane or senile, so the consecrations must be considered doubtful.*

This is a variant of Objection 2, since it attacks Abp. Thuc’s ministerial intention. From what we’ve said above, it’s likewise impermissible.

The objectors, please note, produced not even *one* witness or document to support their charge that Abp. Thuc was “in-

³⁶ Bull *Apostolicæ Curæ*, 13 September 1896. “Tamvero quum quis ad sacramentum conficiendum et conferendum materiam formamque debitam serio ac rite adhibuit, eo ipso censetur id nimirum facere intendisse quod facit Ecclesia.”

³⁷ *Tractatus de Sacra Ordinatione*, 1:970. “Proinde numquam præsumitur ministrum talem intentionem *non ordinandi* habuisse in ordinatione peragenda, donec contrarium non probetur; tum quia nemo præsumitur malus, nisi probetur - ” His emphasis. The foregoing principles likewise defeat the arguments of those who believe that Lefebvre’s consecrator, Lienart, was a Mason (a phony charge) and thus that Lefebvre’s ordinations are “doubtful.”

sane” or “senile” when the consecrations took place. Merely by raising this issue, of course, they hint that there might be a factual basis for it: Prove he was *not* insane or senile. It’s like saying: Prove you don’t beat your wife.

The minimum “level” of intention required to confer a sacrament validly is *virtual intention*. A lengthy discussion of this technical concept isn’t possible here. All we need say is that virtual intention guarantees that a sacrament is valid, even if the priest or bishop is internally distracted before and during the whole sacramental rite.

Virtual intention, says the theologian Coronata, “is certainly present in someone who regularly performs sacramental actions.”³⁸ The mere act of putting on vestments and going to the altar is considered sufficient evidence for virtual intention.

Abp. Thuc celebrated the traditional Mass regularly before and after the consecrations – and very devoutly, said one of my lay friends who once witnessed him do so. It’s ridiculous to imply that, when he vested and performed the three-hour-long episcopal consecrations, Abp. Thuc suddenly couldn’t manage the bare minimum of a virtual intention.

Those who actually knew him dismiss these accusations anyway. Dr. Eberhard Heller, who was present at both consecrations, attested under oath that Abp. Thuc “conferred the consecrations in full possession of his intellectual powers.”³⁹ Bp. Guérard likewise stated Abp. Thuc was of “sound mind,” “perfectly lucid,”⁴⁰ and “had the intention to do what the Church does.”⁴¹ The Rev. Thomas Fouhy, a traditional priest from New Zealand, spent two days in Toulon, France with Abp. Thuc in 1983. The archbishop, Father

³⁸ M. Conte a Coronata, *De Sacramentis: Tractatus Canonici* (Turin: Marietti 1943) 1:56. “Virtualis enim intentio, ut iam vidimus, est intentio ipsa actualis quæ cum distractione operatur. Talis intentio certe habetur in eo qui de more ponit actiones sacramentales.”

³⁹ “Eidesstattliche Erklärung...,” *loc. cit.*, “Mgr. Ngo-dinh-Thuc spendete die Weißen im Vollbesitz seiner geistigen Kräfte.”

⁴⁰ Collins, Guérard Interview Notes.

⁴¹ *Sodalitium* 4 (May 1987), 24. “Atteso che - - Mons. Thuc ed io avevamo l’intenzione di fare ciò che fa la Chiesa.”

Fouhy related, was “nobody’s fool,” and discussed with competence various issues in theology and canon law. He even regaled Father Fouhy with details about his trip to New Zealand in 1963. Father Fouhy added that there was no doubt that Abp. Thuc was competent.⁴²

So too, even the Archbishop’s enemies in the traditional movement. The Revs. Noël Barbara and Gustave Dalmasure visited Abp. Thuc separately in January 1982. Both opposed the consecrations and are still critical of Abp. Thuc. But both still attest that he was in perfect possession of his faculties.

Father Barbara says that the validity of the consecrations is beyond question. He believes the Conciliar Church started the rumor attacking Abp. Thuc’s sanity.⁴³

I received photocopies of four documents written in Abp. Thuc’s own hand. All originated after the consecrations. His handwriting is clear, firm and more legible than my own. The documents are



Father Noël Barbara (1910-2002),
one of the pioneers of sedevacantism

clearly the work of a man who is coherent and whose competency to confer a valid sacrament is unassailable.

One document is a 30 July 1982 letter to Bp. Guérard forwarding some correspondence. Two are declarations: one, that he broke off connections with the Palmar de Troya group,⁴⁴ the other, declaring his position on the vacancy of the Holy See.⁴⁵

The last document is a 1982 letter (in Latin) responding to an inquiry from Bp. Guérard. Several months after his

⁴² Conference, Cincinnati, 13 December 1991.

⁴³ Joseph Collins, Notes of Interview with Noël Barbara, November 1989.

⁴⁴ Declaration 19 December 1981, reprinted in *Einsicht* (March 1982).

⁴⁵ Declaration 25 February 1982. The text was transcribed and reprinted in *Einsicht* (March 1982).

consecration, Bp. Guérard heard that Abp. Thuc had once previously concelebrated the *Novus Ordo* on Holy Thursday, 1981 with the Bishop of Toulon. The Archbishop admits it was true – but closes with this touching phrase: “I hope that God has not judged me so cruelly, for I erred in good faith.”⁴⁶

A man who could write such a statement clearly had all his wits about him.

We therefore draw the appropriate conclusion: Catholic teaching forbids assaults on Abp. Thuc’s sacramental intention. And, in light of statements from the Archbishop and those who knew him, Catholic moral principles dictate that one cease repeating the baseless calumny that he was incapable of conferring a valid sacrament.

b. Non-Existent “Requirements”

Time and again as we pursued our research, those who objected to the Thuc consecrations told Father Sanborn and me that “the Church requires” X or Y for an episcopal consecration to be considered valid, that the consecrations didn’t meet the requirement, and that they were therefore “doubtful.”

Most of these objections were somehow linked to the fact that, apart from Abp. Thuc and the bishops-to-be, only two laymen were present at the ceremonies.

Each time we’d eventually discover that the supposed “requirement” originated not with the Church, but merely with the objectors. Here is a sampler:

Objection 1. *Without a signed certificate, an episcopal consecration is doubtful.*

⁴⁶ Thuc to Guérard, undated letter [early 1982]. “Excellentissime Domine: Recepi litteras tuas tantum his diebus, quia non sum in urbe Toulon jam ab uno mense. In illa epistola, voluisti cognoscere utrum concelebravi, anno præterito, in die quinta Sanctæ hebdomadæ cum Episcopo hujus diocesis. Utique, cum illo Episcopo celebravi, quia illa die non potui celebravi in meo domo secundum legem Ecclesiæ. Tu dixisti quod ego commisi peccatum, quia secundum te, Missa illius episcopi erat invalida. Spero quod Deus non me judicavit ita crudeliter, quia erravi in bona fide. + P.M. Ngô-dinh-Thuc.”

There is no church law which says that failure to issue a certificate automatically renders an episcopal consecration doubtful. Moral certitude about the fact a sacrament took place is all that's required to regard it as valid. (See 2.a,c above.)

In any case, the *diocesan ordination register*, and not the certificate from the consecrating bishop, is the official record of an episcopal consecration.

Objection 2. *The consecrations were a “secret” fact, rather than a “notorious” fact. The burden of proof for a secret fact rests on those who assert it, and since that burden of proof has not been met, the consecrations are doubtful.*

This objection is pure mumbo-jumbo.

Nowhere does church law say that an episcopal consecration performed with only two laymen present is a “secret” fact or that such a consecration is doubtful. The objectors made the rule up.

Two witnesses suffice to make an act legally “public” under church law anyway. Marriage by its nature, for instance, is always considered a public sacrament. But it can be contracted behind closed doors (to avoid embarrassment, say) in front of two witnesses. Their presence makes it legally “public,” even though the fact that the sacrament took place is not broadcast far and wide.

The references to “secret” and “notorious” facts are drawn from rules of evidence in canon law which apply only when two adverse parties are fighting out a lawsuit, Perry Mason-style, before an ecclesiastical judge in a church trial.

Obviously, the court's not in session. It won't *be* in session till the hierarchy of the Church is restored. The court's power to rule on evidence, meanwhile, hasn't passed by default to the objectors.

And even if the court *were* in session, the objectors would be thrown out of the courtroom: Under church law, only three classes of people can challenge the validity of an ordi-

nation or consecration.⁴⁷ All other persons, says the canonist Cappello, lack the right to accuse.⁴⁸



Objection 3. *Without “qualified witnesses” an episcopal consecration is doubtful.*

No church law prescribes that witnesses, qualified or otherwise, must be present at an episcopal consecration – still less, that a consecration is doubtful without them. Again, the objectors fabricated a requirement out of thin air.

Objection 4. *Without at least two priests present to attest that it was performed validly, an episcopal consecration is doubtful.*

This “requirement” doesn’t exist, and is directly contradicted by acts authorized by the Holy See.

The function of the priest-assistants is *not*, as the objectors seem to think, to attest to the validity of a consecration. Pope Benedict XIV says clearly that the reason for the priest-assistants is to *add solemnity* to the liturgical act and to carry out the prescriptions of the rites.⁴⁹

⁴⁷ The recipient of the sacrament, his diocesan ordinary, and the ordinary of the diocese where the sacrament was conferred. See Canon 1994.1. “Validitatem sacræ ordinationis accusare valet clericus peræque ac Ordinarius cui clericus subsit vel in cuius diœcesi ordinatus sit.”

⁴⁸ See Cappello 4:683. “Aliæ personæ extraneæ procul dubio jure accusandi carent.”

⁴⁹ *De Synodo Diocesana* 13.13.7. “Et utroque casu aliquid desideratur, quod ad ejusdem actus solemnitatem, et præscriptorum rituum observantiam pertinet; quandoquidem in prima facti specie deest duorum Antistitum præsentia a sacris canonibus statuta; in altera vero desideratur præsentia duorum Sacerdotum, quos Pontifex adhibendos voluit.”

In mission countries, episcopal consecrations were often performed without priest-assistants.⁵⁰ The practice was sanctioned by Pope Alexander VII,⁵¹ Pope Clement X⁵² and Pope Pius VI.⁵³ Pius VI's brief, in fact, was addressed to bishops in what was then called Tonkin and Cochin China – the part of Vietnam where Abp. Thuc's dioceses were located.

The Church did not merely *allow* episcopal consecrations to be performed without two priest-assistants, but in some cases specifically *ordered* it. In one case, Rome ordered that an episcopal consecration not only be performed secretly and without assistants, but even under the seal of confession.⁵⁴

In a more recent case, Pope Pius XI in 1926 ordered that the Papal Nuncio to Germany perform a secret episcopal consecration without *anyone* present. The Nuncio was Eugenio Cardinal Pacelli, later, of



Bishop Michel d'Herbigny (1880-1957), consecrated bishop secretly for the mission in Soviet Union

⁵⁰ Z. Zitelli, *Apparatus Juris Ecclesiastici* (Rome: 1888), 23. "Siquando necessitas postulet vel impossibilitas adsit tres habendi Episcopos, Romani Pontificis erit indulgere ut consecratio ab uno fiat Episcopo cum assistentia duorum Sacerdotum, qui in dignitate ecclesiastica constituti sint, vel etiam a solo Episcopo absque ulla assistentia, ut sæpe usuvenit in locis sacrarum missionum."

⁵¹ S. Many, *Prælectiones de Sacra Ordinatione* (Paris: Letouzey 1905), 519. "Alexander VII, brevi *Onerosa*, 4 Feb. 1664, concessit ut aliqua episcopalis ordinatio, apud Sinas, fieret ab uno tantum episcopo, cum assistentia duorum presbyterorum, et etiam, si opus esset, sine illorum assistentia."

⁵² Brief *Decet Romanum*, 23 December 1673, 3. The Pontiff specifically confirmed the privileges granted by Alexander VII, among them, performing the " - - munus consecrationis cum assistentia aliorum duorum presbyterorum, etiamsi non essent episcopi, nec in ecclesiastica dignitate constituti, si adessent, sin minus, etiam sine illorum assistentia - -"

⁵³ Brief *Exigit Pastoralis*, 22 July 1798. " - - munus consecrationis cum adistentia aliorum duorum presbyterorum, etiamsi non sint Episcopi, nec in ecclesiastica dignitate constituti, si adfuerint, sin minus etiam sine illorum assistentia - -"

⁵⁴ J. McHugh, *The Casuist* (New York: Wagner 1917), 5:241.

course, Pope Pius XII. Pacelli petitioned Rome that he be allowed to have at least one priest present – not, please note, to serve as a “witness,” but merely so the Cardinal could have someone to hold the Missal on the new bishop’s shoulders as prescribed while the Preface was recited.⁵⁵

Pius XI sent the bishop whom Pacelli consecrated, Mgr. d’Herbigny, into Russia in order to consecrate bishops secretly. He conducted the first such consecration on 21 April 1926 for a certain Father Neveu. The consecration took place without priest-assistants and in the presence of two laymen – circumstances identical to those of the Thuc consecrations. Mgr. d’Herbigny issued no certificate.⁵⁶

The Church, obviously, would not allow – still less command – a bishop to perform an episcopal consecration without priest-assistants if such were “doubtful.” It is impossible, therefore, to maintain that the Thuc consecrations are “doubtful” on such grounds.

Objection 5. *Without a papal dispensation, an episcopal consecration performed without two priest-assistants is doubtful.*

Once again, no law or canonist supports this.

The teachings of the canonists directly contradict it. Bouix says flatly: “Even if there should be a consecration without any assistants and without obtaining a pontifical dispensation, it would still be valid.”⁵⁷ Regatillo, writing in a 1953 work, goes even further. He says that a consecration performed without a dispensation would be valid even if the

⁵⁵ P. Lesourde, *Le Jésuite Clandestine: Mgr. Michel d’Herbigny* (Paris: Lethiel-leux), 70. In the account of his secret consecration, Mgr. d’Herbigny writes: “Le Nonce expliqua que Rome lui avait d’abord prescrit d’être seul avec le Père d’Herbigny. Il avait fait valoir que, sans la présence d’au moins un assistant, la cérémonie lui semblait irréalisable, ne serait-ce que pour maintenir le Missel sur les épaules du consacré.”

⁵⁶ See Lesourde, 76ff.

⁵⁷ D. Bouix, *Tractatus de Episcopo* (Paris: Ruffet 1873), 1:243. “Sed etiamsi fiat consecratio absque ullis assistentibus, et absque obtenta Pontificia dispensatione, adhuc valida erit.”

bishop “is the only one who is present at the consecration.”⁵⁸

Pope Alexander VII,⁵⁹ Pope Clement XI and Pope Benedict XIV declared that consecrations performed without such a dispensation are valid.⁶⁰

Conclusions

Traditional Catholics, long accustomed to controversies where the virtue or wickedness of persons or organizations stands at center stage, may find all the foregoing dry and bland. We’ve spent no time at all arguing over the personal qualities of the parties involved – whether or not Thuc, Guérard or Carmona were virtuous, wise, prudent, logical, consistent or theologically perspicacious.

Such discussions have no bearing whatsoever on the issue of whether or not a sacrament is valid. They concern what theologians call the *probity* of the minister. And it is a truth of the Catholic faith that the valid administration of a sacrament does not depend on a priest or bishop’s probity.⁶¹

The issue of whether the Thuc consecrations were *valid*, therefore, boils down to a few dry principles and a handful of facts:

- 1) All that is required to perform an episcopal consecration validly is an imposition of hands, a 16-word formula and the minimal intention “to do what the Church does.”

⁵⁸ E. Regatillo, *Interpretatio et Jurisprudencia Codicis J.C.* (Santander: Sal Terræ 1953), 465. “Unus episcopus sufficit ad validitatem consecrationis, dummodo ritum essentialem cum debita intentione ponat. Idque etsi sine pontificia dispensatione *unicus* sit qui consecrationi intersit.” My emphasis.

⁵⁹ Brief *Alias*, 27 February 1660. “Quantum spectat ad sacramentum et impressionem characteris fuisse validam.”

⁶⁰ *De Synodo Diocesana* 13.13.9-10. “- - consecrationem hujusmodi validam, licet illicitam, esse censuerunt - - ratam firmamque, sed illicitam Consecrationem pronuntiavit.” Benedict’s emphasis, quoting Clement’s decree of 26 November 1718.

⁶¹ Cappello, 1:36. “In ministro non requiritur nec status gratiæ, nec vitæ probitas, imo nec ipsa fides, ad *validam* sacramentorum confectionem vel administrationem. Hæc est veritas catholica de fide.” His emphasis.

- 2) Once you establish the fact that a validly-consecrated bishop performed an episcopal consecration using a Catholic rite, the essential elements are taken for granted. The validity of the consecration requires no further proof; rather, it can only be *disproved* – *and the burden of disproof is on the accuser*. This is evident from ordinary pastoral practice, canonists, church law and moral theology. The principle is extended even to episcopal consecrations performed by schismatics.
- 3) Three essential facts are beyond dispute: (a) Abp. Thuc was a validly-consecrated bishop. (b) He performed the rite of episcopal consecration for Bp. Guérard on 7 May 1981 and for Bp. Carmona on 17 October 1981. (c) Abp. Thuc employed a Catholic rite for both consecrations.

We have a validly-consecrated bishop. He performed episcopal consecrations. He used a Catholic rite. We are obliged, therefore, to regard the episcopal consecrations Abp. P.M. Ngô-dinh-Thuc conferred on M.L. Guérard des Lauriers and Moises Carmona Rivera as valid.

Since these consecrations were valid, we are likewise obliged to regard the Thuc bishops in the U.S. as validly-consecrated bishops who possess the sacramental power to confirm, to ordain, and to consecrate bishops.

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RUSSIA AND THE LEONINE PRAYERS

The Prayers after Low Mass and Recent Events in Russia

Rev. Anthony Cekada

Sacerdotium 5, Autumn 1992

After my ordination to the priesthood in 1977, I followed the lead of other traditional priests in the U.S., and began announcing that the Leonine Prayers – the three Hail Marys, the *Salve Regina* and the St. Michael prayer recited after Low Mass – were recited “for the conversion of Russia.”

Having heard this intention announced for the umpteenth time, a faithful traditional Catholic in a church I serve recently inquired: “Why do we always have to pray for the conversion of *Russia*? Why can’t we pray for *America* instead?”

It seemed like a fair question. I therefore set out to document what was surely the correct answer: that the Church, responding to Our Lady’s 13 July 1917 request at Fatima, had decreed that the object of these prayers was to obtain Russia’s conversion to the Catholic Faith. End of story – or so I thought.

I consulted about 20 standard commentaries on the Mass and encountered something surprising: not *one* of them stated that the Leonine Prayers were connected with the Fatima Message. And not one of them said that the object of the prayers was to bring about Russia’s conversion to Catholicism.

Having drawn a blank, I turned to a multi-volume work containing the texts of all the laws the Holy See has promulgated since 1917.¹ The work contained a number of official decrees on the Leonine Prayers – but none of the decrees tied the prayers to the Fatima Message. And again,

¹ Xaverius Ochoa ed., *Leges Ecclesiae post Codicem Juris Canonici*, (Rome: Polyglot 1969)

none of them stated that the object of the prayers was to obtain Russia's conversion to the Catholic faith.

Traditional Catholic priests, it thus appears, have unwittingly promoted a notion about these prayers which is false. Obviously this should be corrected, since we do, after all, profess adherence to the Church's traditions and laws.

The history of the Leonine Prayers is also more than a little intriguing, tied as it is to various crises the Church has faced over the past century and a half. Recent developments in Russia, moreover, raise certain legal and practical questions regarding the use of the prayers.

Here we will consider the following issues:

- 1) The origins of the Leonine Prayers.
- 2) The object (or intention) Pope Pius XI decreed for them.
- 3) Two dubious stories which have been circulated about the prayer to St. Michael the Archangel.
- 4) Past legislation on the Leonine Prayers, and whether, in light of recent events in Russia, the law prescribing their recitation has accordingly ceased.
- 5) Whether it would thus now be permissible to recite in place of the Leonine Prayers other prayers for other intentions

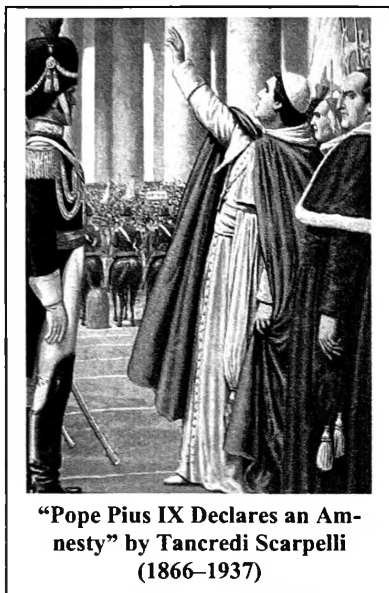
1. Origins of the Prayers

From the onset of the Napoleonic wars in the late 18th century, the position of the popes as temporal rulers of the Papal States (the civil territories they governed in central Italy) became increasingly more precarious.

Though the Congress of Vienna (1815) had restored the pope's sovereignty over his temporal domains, Masonry and other secret societies, such as the Carbonari, conspired to stir up revolts against him. In 1830 and 1832 rebellions broke out in the Papal States, and in 1848 the revolutionaries succeeded in driving Pope Pius IX from Rome.

In 1850 Napoleon III sent his army into Italy, restored

Pius to his temporal throne and garrisoned Rome with imperial troops – an act prompted not so much by the French Emperor's devotion to the Holy See as by his desire to undermine Austrian influence in Italy. Meanwhile, the adepts of the secret societies, supported by aid from abroad, took over the governments of the city-states which bordered the papal domains.²



Surrounded by hostile states, undermined by secret societies, and supported by a half-hearted ally, Pius IX feared that the triumph of the revolutionaries was imminent.

Early in 1859, the Pontiff ordered that special public prayers – three Hail Marys, the *Salve Regina*, a versicle and a Collect – be recited after Mass in all churches within the Papal States. The prayers were not obligatory in other countries. But Pius urged Catholics everywhere to pray for the defeat of

the enemies of his temporal sovereignty,³ and granted indulgences to all who would recite the prayers for his intentions.⁴

In 1870 Rome fell to the revolutionaries and the army of the royal House of Savoy. Pius IX shut himself up in the Vatican, excommunicated those who had seized the papal territories and refused to recognize the legitimacy of the government the usurpers had set up. Thus began the "Roman

² For a concise and excellent account of the history of the Papal States, see E. Jarry, "Les États Pontificaux," *Tu es Petrus: Encyclopédie Populaire sur la Papauté*, ed. by G. Jacquemet, (Paris: Bloud 1934), 551-617. See also Gustav Schnürrer, "States of the Church," *The Catholic Encyclopedia*, ed. by Charles G. Herbermann et al., (New York: Encyclopedia Press 1912), 14:257-268.

³ Encyclical *Qui Nuper*, 18 June 1859.

⁴ Encyclical *Cum Sancta Mater Ecclesia*, 27 April 1859.

Question” – the issue of what accommodation, if any, could be reached between the legitimate temporal claims of the Supreme Pontiff and the government of the new Italian state which exercised *de facto* control over the pope’s states. The question would weigh heavily on the hearts of popes for nearly sixty years.

In the 1880s, anti-clerical mobs, egged on by the Masonic lodges, repeatedly demonstrated against Pope Leo XIII, and even attempted to throw the remains of Pius IX into the Tiber. The government enacted a series of laws against the Catholic clergy, and by the end of the decade would confiscate the goods of Catholic charitable associations.

On 6 January 1884, therefore, Leo XIII decreed that the prayers Pius IX had prescribed for churches in the Papal States be recited after Low Mass in churches throughout the world, “so that the Christian people would implore God with common prayer for that very thing which benefits the whole Christian commonwealth.”⁵

The Collect which Pope Leo first prescribed is different from the version we are accustomed to. Here is the 1884 version, with the variants noted in italics:

O God, our refuge and our strength,
hearken to the devout prayers of Thy Church, and
through the intercession of the glorious and immaculate
Virgin Mary, Mother of God,
of blessed Joseph, of Thy blessed apostles Peter and Paul,
and of all the saints,
grant that what we humbly seek in our present needs,
*we may readily obtain.*⁶

⁵ S.R.C. Decree *Iam Inde ab Anno*, 6 January 1884, in *Acta Sanctæ Sedis* 16 (1884), 249-250. “*Iamvero gravibus adhuc insidentibus malis nec satis remota suspicione graviorum, cum Ecclesia catholica singulari Dei præsidio tantopere indigeat, Sanctissimus Dominus Noster Leo Papa XIII opportunum iudicavit, eas ipsas preces nonnullis partibus immutatas toto orbe persolveri, ut quod christianæ reipublicæ in commune expedit, id communi prece populus christianus a Deo condendat, auctoque supplicantium numero divinæ beneficia misericordiæ facilius assequatur.*”

⁶ *Ibid.*, 250. “*...adepto piis Ecclesiæ tuæ precibus, et præsta; ut - - quod in præsentibus necessitatibus humiliter petimus, efficaciter consequamur.*”

Parts of the prayer will sound familiar. The text is an expanded version of the oration for the 22nd Sunday after Pentecost.

In 1886 the text of the Collect was changed to the following:

O God, our refuge and our strength,
look down with mercy on Thy people who cry to Thee,
and through the intercession of the glorious and immaculate
Virgin Mary, Mother of God,
of blessed Joseph, of Thy blessed apostles Peter and Paul,
and of all the saints,
in mercy and goodness hear the prayers we pour forth to Thee
for the conversion of sinners
and for the freedom and exaltation of Holy Mother Church.

While two other small changes were later made in the Latin text, this version of the Collect is the one we all know so well.

At the same time, the Prayer to St. Michael the Archangel was added. The opening words of the invocation are similar to the Alleluia verse for St. Michael's feasts on May 8 and September 29.

The 1886 changes, by the way, present a curious legal anomaly. Before a liturgical practice can be made legally binding for the whole Church, the decree prescribing it must be promulgated in an official publication. There is no decree, however, in either the 1886 acts of the Holy See,⁷ or in the six-volume collection of the authentic decrees of the Sacred Congregation of Rites⁸ which authorizes the 1886 changes. (Indeed, I can find no decree for these changes anywhere.) The explanation, I suspect, is simply that a curial official forgot to have it registered.

In 1904, in any case, St. Pius X allowed priests to add the threefold invocation "Most Sacred Heart of Jesus, have mercy on us" after the prayer to St. Michael. He did not make the practice obligatory, but it was generally adopted by priests throughout the world.

⁷ *Acta Sanctæ Sedis* 18 (1886)

⁸ *Decreta Authentica Congregationis Sacrorum Rituum*, (Rome: Polyglot Press 1898)

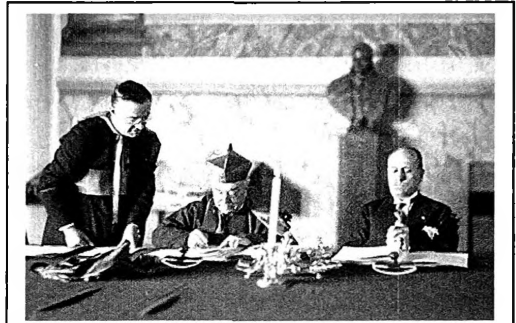
2. A New Intention

During the pontificates of Leo XIII, St. Pius X and Benedict XV, little progress was made toward resolving the Roman Question, due to the complex and volatile political situation in Italy. The negotiating process finally began to gain momentum after the election of Pius XI in 1922.

On 12 February 1929 the Vatican announced that the Holy See and Italy had signed a treaty which settled the Roman Question, regulated relations between the Church and the Italian state, and stipulated how the Holy See would be remunerated for the territory it had lost. The accord was ratified at the Lateran Palace on 9 June 1929,⁹ and was followed by a cordial exchange of telegrams between the Pope and the King of Italy.

In Article 26 of the Lateran Treaty, the Holy See declared “the Roman question definitely and irrevocably settled and therefore eliminated.”¹⁰ The purpose for which the Leonine Prayers had been instituted was therefore achieved.

The Supreme Pontiff, however, had another important intention that he wished to recommend to the prayers of the faithful. The Communist government in Russia had begun a systematic persecution of Catholics. Pius XI asked Catholics in Russia and throughout the world to observe a day of prayer to implore St. Joseph for his aid. On the day appointed, even the eastern schismatics honored the Pope’s request.



The Lateran Treaty, which solved the Roman Question, was signed by Prime Minister Mussolini and Cardinal Gasparri on Feb. 11, 1929

⁹ For the text of the treaty, see Appendix A to Wilfred Parsons SJ, *The Pope and Italy*, (New York: America Press 1929)

¹⁰ In Parsons, 93.

In a 1930 address to the College of Cardinals, Pius XI discussed both the Lateran Treaty and Russia. He spoke of the day of prayer for the Church in Russia, expressing his hope that the prayers which had been offered for those suffering would be more fruitful in the future.

The Pontiff then noted sadly that "not so long ago the enemies of God and religion throughout the aforementioned regions kindled a very fierce persecution of the Church." He immediately added:

Christ, the Redeemer of the human race, is therefore to be implored to permit tranquillity and freedom to profess the faith to be restored to the afflicted people of Russia. And, that all may be able to make this prayer with very little trouble and difficulty, We desire that those same prayers which Our Predecessor of happy memory, Leo XIII, ordered priests to recite with the people after Mass, shall be said for this intention, that is, for Russia. Bishops and the clergy, both secular and religious, should be most zealous in giving notice of this to their people or to all who assist at Mass, and should frequently remind them of it.¹¹

The new intention which the Pontiff decreed for the Prayers after Low Mass, therefore, was that Christ "permit tranquillity and freedom to profess the faith to be restored to the afflicted people of Russia."

An action taken by the Pontifical Commission for Russia reconfirms that this is indeed the actual intention the Pontiff laid down. While the Pope's decree applied only to priests of the Latin Rite, the Commission promptly prepared anot-

¹¹ Pius XI, Allocution *Indictam ante*, 30 June 1930, *Acta Apostolicæ Sedis* 22 (1930), 301. " - fecundior eam posthac evasuram sperare licet, etsi, non ita pridem, divini nominis cultusque, per eas quas diximus regiones, inimici ad Ecclesiæ insectationem exarsere acrius. Christo igitur humani generis Redemptori instandum, ut afflicti Russiæ filii tranquillitatem fideique profitendæ libertatem restitui sinat; atque ut instare omnes, modico sane negotio atque incommodo, queant volumus, quas fel. rec. decessor Noster Leo XIII sacerdotes cum populo post sacrum expletum preces recitare iussit, eadem ad hanc ipsam mentem, scilicet pro Russia, dicantur; id ipsum Episcopi atque uterque clerus populares suos, vel sacro adstantes quoslibet, studiosissime moneant, in eorundemque memoriam sæpenumero revocent."

her decree for Catholic Uniates who employed the Byzantine Rite. The Commission ordered the insertion into the Byzantine Rite Mass of prayers for peace for the clergy, “the brethren,” and “all our people.”¹²

The “freedom of the Church in Russia” (as the liturgist Wuest succinctly put it),¹³ therefore – and not the conversion of Russia to the Catholic faith in fulfillment of the Fatima promises – was the intention for which these prayers continued to be prescribed.

3. Two Dubious Stories

The two foregoing sections outlined the origins of the Leonine Prayers as a unit. One of these prayers, the Invocation to St. Michael the Archangel, merits special attention, since some intriguing but rather dubious stories have come to be associated with it.

a. An Alleged Vision

A pamphlet dealing with a diabolical possession, written in the early 1930s and still popular in traditional Catholic circles, relates the following about the St. Michael prayer:

A rather peculiar circumstance induced Pope Leo XIII to compose this powerful prayer. After celebrating Mass one day he was

¹² Pontificia Commissio pro Russia, Decree *Cum Summus*, 11 July 1930, *Acta Apostolicæ Sedis* 22 (1930), 366. “Cum Summus Pontifex Pius div. Prov. Papa XI in Consistorio secreto diei 30 Junii c. a. præceperit ut latini sacerdotes toto orbe terrarum preces, post sacrum expletum iussu Leonis Papæ XIII recitandas, nunc pro Russia applicent, hæc Pontificia Commissio sacerdotes non latinos sibi subditos hortatur, ut dum Sacram Liturgiam celebrant, eandem intentionem Deo commendent. Ideo: (1) in sic dicta Ectenia Magna, inter preces seu invocationes (...) post verba [*in Cyrillic*: For this city and every city] hæc addantur: [*in Cyrillic*: and for all our brethren, let us pray to the Lord]. (2) In fine Liturgiæ, in oratione sic dicta post ambonem (...), post verba [*in Cyrillic*: Give peace to all Thy people and Thy Church], hæc addantur: [*in Cyrillic*: and to His Holiness, the first among bishops, Pius XI, Pope of Rome, and to all priests and to all of our brethren and to all of our people].”

¹³ Joseph Wuest CSsR, *Matters Liturgical: The Collectio Rerum Liturgicarum*, trans. by Thomas W. Mullaney CSsR and re-arranged and enlarged by William T. Barry CSsR, (New York: Pustet 1956), 440.

in conference with the Cardinals. Suddenly he sank to the floor. A doctor was summoned and several came at once. There was no sign of any pulse-beating[;] the very life seemed to have ebbed away from the already weakened and aged body. Suddenly he recovered and said: "What a horrible picture I was permitted to see!" He saw what was going to happen in the future, the misleading powers and the ravings of the devils against the Church in all countries. But St. Michael had appeared in the nick of time and cast Satan and his cohorts back into the abyss of hell. Such was the occasion that caused Pope Leo XIII to have this prayer recited over the entire world at the end of Mass.¹⁴

The foregoing passage appears as a digression in an account of an exorcism. The author gives no date for the alleged vision.

An article written in 1933 repeats the same account, virtually word for word, adding: "And so, shortly after 1880, Leo decreed the general prayer to St. Michael."¹⁵ Note the date given for the supposed vision: 1880 – four years before Leo XIII prescribed the Prayers after Low Mass *without* the St. Michael prayer, and *six* years before the prayer itself was actually prescribed.

A more recent variant of the story adds another detail: It quotes a dialogue between Our Lord and Satan that Pope Leo supposedly heard during the vision. One writer says the

¹⁴ Carl Vogl, *Begone Satan: A Soul-Stirring Account of Diabolical Possession in Iowa*, trans. by Celestine Kapsner OSB, (St. Cloud MN: 1935), reprinted Rockford IL: TAN Books 1973, 24. The exorcism took place in Earling, Iowa in 1928, and was the basis for William Peter Blatty's novel *The Exorcist*, which was itself later made into a film.

¹⁵ Hg. Schnell, *Konnorsreuther Sonntagsblattes* (1933), no. 39, "Nachdem Leo XIII. eines Morgens die heilige Messe zelebriert hatte, begab er sich zu einer Besprechung mit den Kardinälen. Aber plötzlich sank er in Ohnmacht zusammen. Die herbeigeeilten Ärzte fanden keinen Grund zu dieser Ohnmacht, obwohl der Pulsschlag fast aufhörte. Plötzlich erwachte er wieder und war frisch wie zuvor. Er erzählte dann, er hätte ein furchtbares Bild gesehen. Er durfte die Verführungskünste und das Wüten der Teufel der kommenden Zeiten in allen Ländern sehen. In dieser Not erschien St. Michael, der Erzengel, und warf den Satan mit allen seinen Teufeln in den höllischen Abgrund zurück. Daraufhin ordnete Leo XIII. kurz nach 1880 das allgemeine Gebet zum heiligen Michael an." Quoted in Bers "Die Gebete nach der hl. Messe," *Theol-Prakt. Quartalschrift* 87 (1934), 161.

dialogue occurred at the foot of the altar, where Leo stopped after Mass. He gives no date.¹⁶ Another writer tells the same story, but he gives a date: 13 October 1884.¹⁷

Still another writer tells essentially the same variant of the story as these two writers, but he has the event taking place when “the aged Pontiff was in a conference with the Cardinals.”¹⁸

And the most recently circulated version of the story gives yet *another* date for the supposed vision: 25 September 1888.¹⁹ Here again, remember that the St. Michael prayer in fact appeared two years *earlier* (in 1886) than this account would have it.²⁰

Now while all six accounts cited connect the St. Michael prayer with a supposed vision, they differ as to when, where, and how the alleged vision took place. *None* of them, moreover, gives a source, even the two accounts from the 1930s. All six authors merely assert that the incident took place.

Taken together, these factors should be a cause for suspicion.

In 1934 a German writer, Father Bers, investigated the origins of the story of Leo’s vision. “Wherever one looks,” he observed, “one may find this claim – but nowhere a trace of proof.”

Sources contemporaneous with the institution of the prayer were silent on the matter. Father Bers quoted a priest who visited with Leo XIII when the prayer was instituted in 1886:

“When the prayers which the priest says after Mass were being instituted, I happened to have a short audience with the Holy Father. During the conversation Leo XIII mentioned what he

¹⁶ See “An Interesting Story,” *The Maryfaithful* (Sept-Oct 1978), 19.

¹⁷ Arthur H. Durand, “Satan’s Hundred Year War,” *The Remnant* (15 January 1984), 9-10.

¹⁸ *Saint Michael and the Angels*, compiled from Approved Sources, (Rockford IL: TAN 1988), 84-85.

¹⁹ Gary Giuffré, “Exile of the Pope-Elect, Part VII: Warnings from Heaven Suppressed,” *Sangre de Cristo Newsnotes* 69-70 (1991), 4.

²⁰ See *Irish Ecclesiastical Review* 7 (1886), 1050.

was going to prescribe and recited all the prayers from memory. This he did with such deep-seated conviction of the power of the cosmic rulers of this darkness and of the beguilement which they cause, that I was quite struck by it.”²¹

Commenting on this passage, Father Bers concluded:

Therefore it can be safely assumed that the Holy Father would have spoken of the vision if he had had it – or that at least the reporter would have mentioned it – since it would have been most relevant to the general purport of the statement. Consequently, the argument “from silence” seems to indicate clearly that the “vision” had been invented in later times for some reason, and was now feeding upon itself “like a perpetual sickness.”²²

The problems with the story connecting the institution of the St. Michael prayer and a supposed vision of Leo XIII may be summarized as follows:

- Writings which promote the story give no references to sources.
- The various accounts contradict each other as to where the vision supposedly took place – after Mass at the foot of the altar, or in a conference with cardinals.
- The various accounts are inconsistent about the date of the vision.
- The dates the accounts give for the alleged vision (1880, 1884 and 1888) do not correspond with the date when the St. Michael prayer was actually instituted (1886).
- There appears to be no corroboration for the story in a contemporary account which one would expect to have mentioned the event, had it indeed taken place.

²¹ *Kölner Pastoralblatt* (1891) 179, cited in Bers 162-163.

²² Bers, 162-163.

These considerations all tend to support the conclusion Father Bers arrived at in the 1930s: “that the ‘vision’ had been invented in later times for some reason,” and that the story was simply feeding upon itself.

b. Conspiracies and “Falsified” Texts

Another story which has recently gained currency in traditionalist circles alleges that the St. Michael prayer is a “falsified” version of a longer prayer Leo XIII wrote. The longer prayer, we are told, warned that Judaeo-Masonic infiltrators would achieve their long-time goal of usurping the papal chair, so conspirators “censored” it twice after Leo’s death.²³

This is the sort of juicy tale that certain types on the traditional Catholic scene really love to promote. It incorporates some familiar elements: private revelations, infiltrators, altered documents, a deceived pontiff, and prophecies of an evil



Leo XIII, Pope in 1878-1903

intruder sitting on the Chair of Peter. For those who understand how the enemies of the Church operate, parts of the account may sound plausible at first. It also (as contemporary book reviewers like to say) makes for “a rollicking good read.”

Unfortunately, it’s the type of conspiracy story which exposes traditional Catholics to ridicule – because when you look closely at the facts adduced as “proof” for a conspiracy, you discover that the story’s originators managed to get just about everything wrong.

To understand how, we turn first to the background of

²³ Thus Giuffré, 4-7.

the prayer which – the story goes – is the “original” version of prayer to St. Michael recited after Low Mass.

On 25 September 1888 Pope Leo XIII approved a prayer to St. Michael the Archangel and granted an indulgence of 300 days for its recitation.²⁴ By this time, of course, the text of the prayer to St. Michael we know from the Prayers after Low Mass had already been in use for two years.²⁵ The text Leo approved in 1888 was, in fact, a completely *new* prayer.

Like the 1886 text, the 1888 prayer also invokes St. Michael’s aid in our warfare against the devil. But it is a very lengthy text, filled with line after line of vivid and striking imagery about the devil and his minions.

The prayer describes the devil as one who pours out on “men of depraved mind and corrupt heart, the spirit of lying, of impiety, of blasphemy, and the pestilent breath of impurity, and of every vice and iniquity.” Of these servants of Satan, the prayer adds:

These most crafty enemies have filled and inebriated with gall and bitterness the Church, the spouse of the Immaculate Lamb, and have laid impious hands on her most sacred possessions.

The prayer then expands upon this description with the following:

In the Holy Place itself, where has been set up the See of the most holy Peter and the Chair of Truth for the light of the world,

²⁴ For the Italian text, see *Enchiridion Indulgentiarum: Preces et Pia Opera Omnium Christifidelium*, (Vatican: Polyglot Press 1950), 446. A search of the *Acta Sanctæ Sedis* for 1888 failed to turn up the text of the *Motu proprio* mentioned in the *Enchiridion*. The 300 Days indulgence, therefore, was most likely granted *viva voce* by Pope Leo during the course of an audience and simply noted in a curial diary. The indulgence was increased to 500 days in 1934. It may be that Leo XIII had some sort of vision or locution in connection with the institution of this prayer to St. Michael, rather than the prayer to St. Michael recited after Low Mass.

²⁵ For the Latin version, see *Irish Ecclesiastical Review* 7 (1886), 1050. “Sancte Michael Archangele, defende nos in prælio; contra nequitiam et insidias diaboli esto præsidium. – Imperet illi Deus, supplices deprecamur; tuque, Princeps militiæ cœlestis, Satanam aliosque spiritus malignos, qui ad perditionem animarum pervagantur in mundo, divina virtute in infernum detrude. Amen.”

they have raised the throne of the abominable impiety, with the iniquitous design that when the Pastor has been struck, the sheep may be scattered.²⁶

These two passages, needless to say, are the ones which the censored text theorists claim “predict” the effects of Vatican II.

After its approval, the 1888 text was at some point included in *The Raccolta* (the Church’s official collection of indulgenced prayers).

In an audience two years later, moreover, Leo XIII approved a new and lengthy “Exorcism against Satan and Apostate Angels,” intended to be used by bishops and by priests who received special permission from their ordinaries.²⁷ This rite employed the 1888 prayer to St. Michael, including the two passages quoted above, as sort of a preface to a series of prayers of exorcism.²⁸ The rite was then incorporated into the Appendix of *The Roman Ritual* (the book containing the official texts for sacramental rites and various blessings) among the more recent blessings (*Benedictiones Novissimæ*).²⁹

Later editions of *The Raccolta* omitted the conclusion of the 1888 prayer, beginning with the passage which spoke of the “throne of abominable impiety” raised where the See of Peter stood. Later editions of *The Roman Ritual* went even further: they omitted not only that passage, but also the one

²⁶ These two texts are from a translation in Ambrose St. John, *The Raccolta or Collection of Indulgenced Prayers and Good Works*, 11th ed., (London: Burns Oates 1930), 407.

²⁷ S.C. de Propaganda Fide, ex audientia Sanctissimi 18 May 1890, *Acta Sanctæ Sedis* 23 (1890-91), 747. “...omnibus Reverendissimis Episcopis, nec non Sacerdotibus ab Ordinariis suis legitime ad id auctoritatem habentibus...”

²⁸ S.C. de Propaganda Fide. “Exorcismus in satanam et angelos apostaticos iussu Leonis XIII P.M. editus,” *Acta Sanctæ Sedis* 23 (1890-91), 743-4. “Ecclesiam, Agni immaculati sponsam, vaferrimi hostes repleverunt amaritudinibus, inebriarunt absinthio; ad omnia desiderabilia ejus impias miserunt manus. Ubi sedes beatissimi Petri et Cathedra veritatis ad lucem gentium constituta est, ibi thronum posuerunt abominationis impietatis suæ; ut percusso Pastore, et gregem disperdere valeant.”

²⁹ See *Rituale Romanum*, 6th ed. *post typicam*, (Ratisbon: Pustet 1898), 163*ff.

referring those who have laid impious hands on the Church's most sacred possessions. Other passages were deleted as well, leaving only about one-third of the 1888 text. (See the Appendix below.)

Now, having misidentified an 1888 prayer as the antecedent to an 1886 prayer, the proponents of the censored text theory contend that unnamed infiltrators in the Vatican, fearing exposure of their plot to seize control of the See of Peter, stealthily deleted these passages from the *Raccolta* and the *Ritual* after Leo's death.

All of it is nonsense.

First, the passages were not removed *after* Leo XIII's death. They were already suppressed in 1902 – a year and a half *before* the pontiff died.

Second, this suppression was not, as we are told, an “ambiguous forgery” perpetrated “mysteriously” by some “unnamed Vatican official.” The Sacred Congregation of Rites, in consultation with the Congregation for Indulgences, revised the 1888 prayer and issued a new edition. This was printed in 1902, bearing the seal of the Congregation's Prefect, Cardinal Ferrata, and the signature of the Congregation's Secretary, Archbishop D. Panici.³⁰

Third, the passages in question, please note, were not written in the *future* tense, as one would expect for a prophecy. They were written in the *past* tense, and thus referred to events which had already *taken place* in 1888.

To whom, then, do the passages refer? One has but to look to the situation the Pope faced in Italy in the late 1880s.

The “crafty enemies” of the Church who “laid impious hands on her most sacred possessions” were none other than the revolutionaries who (as we have seen above) invaded the Papal States and despoiled the Church's properties.

And the “throne of abominable impiety” raised up in “the

³⁰ See supplementary material bound into back of Pustet *Rituale Romanum*, 6th ed., (1898). “Concordat cum suo Originali, asservato penes Secretariam S. Congregationis Indulgentiis sacrisque Reliquiis præpositæ. In fidem etc. Ex Secretaria Sacror. Rituum Congregationis, die 7. Januarii 1902. [l.s.] + D. Panici Archiep. Laodicen. S.R.C. Secretarius.”

Holy Place itself, where there has been set up the See of the most holy Peter and the Chair of truth for the light of the world"? This was the throne of the King of Italy, set up in the Quirinale Palace.

Prior to its seizure 1870 by the excommunicated King of Italy, Victor Emmanuel, the Quirinale was the principal papal palace in Rome. It was the customary location for papal conclaves. It was also one of the places where the pope had held court, sitting, of course, on a throne – the “Chair of truth for the light of the world.” When the 1888 prayer was composed, the throne of a usurping and excommunicated monarch then stood in this palace which had been stolen from the pope.

Why, finally, were the texts altered toward the end of the Leo’s reign? Again, we look to historical situation.

By 1902 Leo XIII had been carrying on secret negotiations for years with the new King, Umberto. The King at one point appeared willing to return a substantial part of the city of Rome to the Pope’s control – a proposal that could have infuriated Parliament enough to call for the King’s deposition.³¹ Had Umberto made such a risky concession, he would have expected (and received) official recognition of his status from the Pope. Further references to the King in the Church’s *Ritual* as occupying “a throne of abominable impiety,” needless to say, would have been at odds with papal acknowledgement of the King’s legitimacy.³² The prayer also linked the establishment of the King’s throne with the devil, who pours out on “men of depraved mind and corrupt heart, the spirit of lying, of impiety, of blasphemy, and the pestilent breath of impurity, and of every vice and iniquity.” Since the King gave signs of wanting to make amends, it probably

³¹ See Jarry, 610.

³² This issue was finally settled with the Lateran Treaty. In Article 26 the Holy See recognized the Kingdom of Italy and its royal dynasty, the House of Savoy. Article 12 of the accompanying Concordat prescribed that on Sundays and Church holidays, the celebrant of High Mass in major churches would sing a prayer “for the prosperity of the King of Italy and the Italian State.” For texts, see Parsons, 93, 99.

seemed appropriate to alter the prayer.

To sum up, then: The lengthy 1888 prayer to St. Michael was composed *after* the St. Michael prayer in the Leonine Prayers appeared. The passages in the 1888 text which are supposedly “prophetic” refer in fact to the Italian government’s seizure of Church property. Once the King of Italy appeared willing to arrive at a settlement of the Roman Question, the Vatican dropped from the prayer passages which he and the Italian government would have found offensive.

4. Law and the Leonine Prayers

Apologists for the New Mass sometimes make the false claim that various popes introduced substantial “changes” into the Mass of St. Pius V.

When Leo XIII ordered the recitation of the Leonine Prayers, however, he did not legislate a “change” in the Mass. The prayers, unlike, say, the *Ite Missa Est* or the Last Gospel, are *not* part of the Ordinary of the Mass. They are always referred to as prayers recited *after* Mass. The rubrics in the front of the priest’s altar Missal remained unchanged, and do not mention the Leonine Prayers at all.

In this section we will consider subsequent legislation on the Leonine Prayers, and, in light of the recent achievement of the object for these prayers, discuss the consequent cessation of the law regarding them.

a. Subsequent Legislation

The original legislation prescribing the Leonine Prayers says they are to be recited after every *Low* Mass (i.e., Mass without singing),³³ while subsequent decrees speak rather of reciting the prayers after *Private* Mass. Over the years, a number of questions arose over the issue of when it would

³³ See S.R.C. Decree, 6 January 1884, in *Acta Sanctæ Sedis* 16 (1884), 250. “...in fine cuiusque Missæ sine cantu celebratæ.”

be lawful to omit the prayers. The Sacred Congregation of Rites issued a number of decrees on the subject. The meaning of some of the decrees is not absolutely clear, and rubricists (experts in liturgical law) were not able to reach complete agreement in interpreting them.³⁴

The Leonine Prayers may be omitted after a Low Mass which:

- Takes the place of a Solemn Mass (e.g., an ordination or a funeral Mass).
- Has the privileges of a Solemn Votive Mass *pro re gravi* (e.g., the Sacred Heart Votive Mass on First Friday).
- Is celebrated with a certain solemnity (e.g., a Nuptial Mass, the Mass following the Blessing of Ashes on Ash Wednesday).
- Takes the place of the main (“parochial”) Mass on Sunday and is “celebrated with a certain solemnity” (e.g., Asperges beforehand, prayer for the government afterwards, etc.).
- Is followed by a sacred function or pious exercise, without the celebrant departing from the sanctuary (e.g., Benediction, Novena, etc. after Mass).

The foregoing list is not exhaustive, and is taken from a classic work written in 1941 by the great English rubricist O’Connell.³⁵ Subsequently, the Congregation of Rites granted an Indult to the clergy of the Archdiocese of Bologna, allowing them to omit the prayers at Masses where a homily was given.³⁶ A 1960 decree clarified some previous decisions on the matter, and gave permission to priests everywhere to omit the Leonine Prayers at a “Dialogue” Mass, or at a Mass

³⁴ Richard E. Brennan, “The Leonine Prayers,” *American Ecclesiastical Review* 125 (1951), 92.

³⁵ See J. O’Connell, *The Celebration of Mass: A Study of the Rubrics of the Roman Missal*, (Milwaukee: Bruce 1941) 1:210-11. This three-volume work is the clearest and most systematic treatment of the rubrics of the Mass available. Every priest who celebrates the traditional Mass should have a copy of it.

³⁶ S.C. Rituum, Indult *Excellentissimus*, 22 July 1955, Ochoa 2513.

where a homily was given.³⁷

Vatican II (1962–1965), of course, had refused to condemn Communism, while Paul VI after his election in 1963 began to take the first tentative steps toward building what would come to be known as the “Vatican-Moscow Axis.” Since the Leonine Prayers were a reminder that Moscow was conducting a persecution, they were among the first things to go.

In 1964, even before the Council closed, the Vatican issued a liturgical instruction which contained the memorably brutal phrase: “The Last Gospel is omitted; the Leonine Prayers are suppressed.”³⁸ Under the circumstances, a more appropriate verb would have been “liquidated” or “purged.”³⁹

Only a handful of priests resisted the post-Vatican II liturgical changes at first, but not everyone retained the Leonine Prayers. I suspect this was the case in France, since at the St. Pius X Seminary in Ecône in the 1970s we never said the prayers publicly.⁴⁰ (I recited them publicly after my first Mass in 1977, an act considered rather daring at the time.)

Most priests in America who first resisted the changes were well-known as dedicated patriots and vocal anti-Communists. These few stalwart men kept the Leonine Prayers alive when no one else in America did. It is to their eternal credit that they handed down the practice to a future generation which would see the prayers at long last bear fruit.

³⁷ S.C. Rituum, Decree *A Nonnullis Locorum*, 9 March 1960, Ochoa 2895. “Preces sic dictas Leoninas omitti posse: ... 3. cum infra Missæ celebrationem habeatur homilia. 4. cum fit Missa dialogata, diebus Dominicis et Festis tantum.”

³⁸ S.C. Rituum (Consilium), Instruction *Inter Oecumenici* on the orderly carrying out of the Constitution on the Liturgy, 26 September 1964, ¶48, in *Documents on the Liturgy, 1963-1979: Conciliar, Papal, and Curial Texts*, trans., compiled and arr. by International Committee on English in the Liturgy, (Collegeville: Liturgical Press 1982), 340.

³⁹ I have a vague childhood memory of the priest telling us as the changes began that we would henceforth pray for Russia in the Prayer of the Faithful. *That* didn’t last long. A few years later in the diocesan seminary, we were praying not for persecuted Catholics but for leftist guerrillas in South America.

⁴⁰ At Ecône during the 1975-1976 academic year, we followed many of initial changes Paul VI introduced into the Order of the Mass in 1964.

b. Recent Developments in Russia

The intention Pope Pius XI decreed in 1930 for the Leonine Prayers, as we noted above, was the freedom of the Church in Russia – that “tranquility and freedom to profess the faith,” as he said, “be restored to the afflicted people of Russia.”

The people of Russia are indeed afflicted by many things these days – corrupt politicians, scarce goods, Western immorality, socialism, international bankers, and the “New World Order.” But it seems certain that they do enjoy at least one thing: “the tranquility and freedom to profess the faith.”

On 1 October 1990 the Soviet Union enacted a law on freedom of conscience and religious organizations. It was a lengthy and detailed statute, running in translation to nearly 500 lines of miniscule print.

The law’s stated purpose was to guarantee the rights of citizens “to determine and express their attitude toward religion, to hold corresponding convictions and to profess a religion and perform religious rites without hindrance.”⁴¹

Article 3 of the law is of particular interest to us here:

In accordance with the right to freedom of conscience, every citizen independently determines his attitude toward religion and has the right, individually or in conjunction with others, to profess any religion or not to profess any, and to express and disseminate convictions associated with his attitude toward religion.

We note, for the sake of emphasis, the phrase “the right - - to profess any religion.”

⁴¹ Law of the Union of Soviet Socialist Republics: *On Freedom of Conscience and Religious Organizations*, 1 October 1990, *Pravda*, 9 October 1990, 4, trans. in *The Current Digest of the Soviet Press* 42.40 (1990), 6-8, 31. “The Aims of the Law. This law guarantees the rights of citizens to determine and express their attitude toward religion, to hold corresponding convictions and to profess a religion and perform religious rites without hindrance, as well as social justice, equality and the protection of citizens’ rights and interests regardless of their attitude toward religion, and it regulates relations connected with the activity of religious organizations.” (Art. 1)

In Article 4, the law creates legal liability for restricting this right:

Any direct or indirect restriction of rights or the establishment of any advantages for citizens depending on their attitude toward religion, as well as the incitement of hostility and hatred in this connection or any insulting of citizens' feelings, entails liability as established by law.

This would forbid persecuting someone for his religious beliefs.

The statute deals exhaustively with the manner in which these rights are exercised in practice. It guarantees the right to form religious organizations (Art. 7), religious congregations (Art. 8), religious associations (Art. 9), religious orders (Art. 10), and religious educational institutions (Art. 11). It allows a religious group to formulate its own statutes (Art. 12), to acquire civil/legal existence, (Arts. 13, 14), to terminate voluntarily its own existence (Art. 16), to use state properties (Art. 17),⁴² to own property (Art. 18), to dispose of property (Art. 20), to establish and maintain places of worship (Art. 21), to conduct worship services without hindrance (Art. 21), to acquire and produce religious literature and objects (Art. 22), to create charitable organizations (Art. 23) and to maintain ties with international religious organizations (Art. 24).

Given the Communists' track record, we looked at all this from afar and took it with a grain (if not a pillar) of salt.

Others more familiar with current affairs in Russia, however, say that the status of believers underwent a real change. In an exhaustive commentary on the new law, one Western legal scholar noted that a comparison of past Soviet legislation with the 1990 law reveals that "there is no doubt about the intent of the legislator to endow freedom of conscience with a content quite different from that of the

⁴² Any governmental body in the U.S. which allowed this would be hauled into court by the A.C.L.U.

past.”⁴³ Professor Jerry G. Pankhurst, a Russian-speaking American who actually spent some time in the Soviet Union after the law was passed, assured me that Catholics were indeed then quite free to profess their religion and that they suffered no persecution.

In 1991 events took an even more dramatic turn. Gorbachev fell, the Communist Party was dissolved and the Soviet Union broke up. The new Russian Republic adopted a law on religious freedom similar to the 1990 Soviet law. Professor Parkhurst believes that the new law “while totally compatible, is even more tolerant in the freedoms it grants.”

But is it put into practice? For well over a year now, the conservative Catholic press has been carrying extensive reports on the changed situation for Catholics in Russia. A seminary has been founded. Members of the intelligentsia ha-



Mikhail Gorbachev read his resignation as the President of Soviet Union on Christmas Day 1991

ve converted. Archbishop Tadeusz Kondrusiewicz, appointed Apostolic Administrator of the European part of the Russian Republic by John Paul II, now resides in Moscow and ministers to a growing flock. Bishop Joseph Werth, a Jesuit, now travels around Siberia seeking out scattered groups of Catholics. Some church properties have been returned, and new religious publications have sprung up.

Nor are the adepts of the *Novus Ordo* the only ones to benefit from the new climate: Two Russians are now studying for the priesthood at the Society of St. Pius X's seminary in Ecône, Switzerland. And one of the Ecône seminary

⁴³ Giovanni Codevilla, “Commentary on the New Soviet Law on Freedom of Conscience and Religious Organizations,” *Religion in Communist Lands* 19 (Summer 1991), 131.

professors, Father Rulleau, now travels to Moscow several times a year to offer the traditional Mass for a group of Catholics.

Another Russian-speaking academic – a graduate student in Russian history – told me how she had recently spent time with Catholics in Moscow and St. Petersburg. Their numbers, she noted, are small. But like everyone else, she said, Catholics are entirely free to profess their religion and



The altar of the Cathedral of the Assumption of the Blessed Virgin Mary, St. Petersburg, Russia. The church was the titular of the Metropolitan Archdiocese of Mohilev, which covered the Latin Rite Catholics of the Czarist Russia and Soviet Union.

now suffer no persecution.

All this leads one to conclude that Catholics in Russia are now free to profess the faith. The object for which the Leonine Prayers were prescribed for all these years, therefore, has been obtained.

c. Cessation of the Law

Immediately, however, we are confronted by a practical question: What then of the Leonine Prayers? If their object has been obtained, should they continue to be recited after Low Mass?

Strictly speaking – according to the principles of Church law – no.

First, we should recall the classic definition theologians and canonists give for the word “law”: An ordinance of reason for the common good promulgated by the person who has care of the community.⁴⁴

⁴⁴ Dominic M. Prümmer OP, *Manuale Theologiæ Moralis*, 10th ed., (Barcelona: Herder 1946), 1:142. “Quædam rationis ordinatio ad bonum commune ab eo, qui communitatis curam habet, promulgata.”

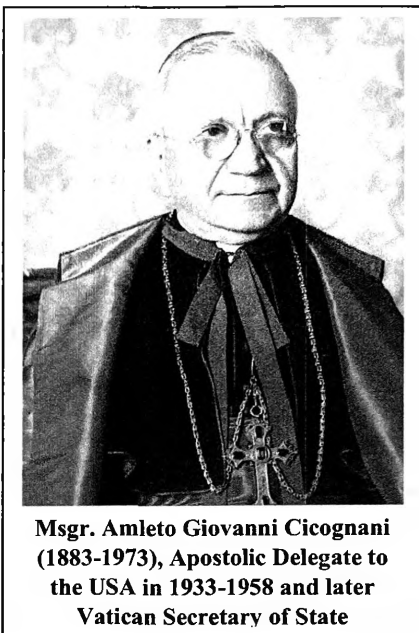
The canonist (and later cardinal) Giovanni Cicognani points out that, while laws are normally stable, the reasons or purposes for which a law was promulgated can later change. A law then becomes useless, harmful or – the very anti-thesis of what a law is supposed to be – *unreasonable*.

Obviously, the superior should revoke a law that has become unreasonable. But what if a superior has not done so? Cicognani adds:

[I]f [such a law] has not actually been revoked, it is to be reasonably presumed to be revoked. For its purpose is the soul of law, and a law without a soul lapses, ceases to exist, dies.⁴⁵

The technical term for the “death” of a law which loses its purpose is *intrinsic cessation of the law* (*cessatio legis ab intrinseco*).⁴⁶ Intrinsic here simply means, as Cicognani put it, that “the law ceases of itself.”⁴⁷

The Bouscaren-Ellis commentary on the Code of Canon



Msgr. Amleto Giovanni Cicognani (1883-1973), Apostolic Delegate to the USA in 1933-1958 and later Vatican Secretary of State

⁴⁵ Amleto Giovanni Cicognani, *Canon Law*, 2nd rev. ed., trans. by Joseph M. O'Hara (Westminster MD: Newman 1934), 625. “In treating the elements of law we saw that it is proper and fitting that a law should be stable and firm. However, every law has its element of uncertainty, for the reasons and the purpose for which the law was made can change, and consequently, since law is an ordinance in accordance with reason, it ought to be revoked if it becomes useless, harmful or unreasonable; and if it has not actually been revoked, it is to be reasonably presumed to be revoked. For its purpose is the soul of law, and a law without a soul lapses, ceases to exist, dies.”

⁴⁶ This is distinguished from *extrinsic cessation of the law*, i.e., when it is revoked by the superior. A lay woman once told me that, whenever a priest used the words *intrinsic* or *extrinsic* in an article directed to traditional Catholics, she immediately judged the article “too deep,” and promptly chucked it into the garbage. If she reads this article, I hope she makes it past the sentence above.

⁴⁷ Cicognani, 627.

Law notes that this is common doctrine.⁴⁸ Indeed, Prümmer,⁴⁹ Beste,⁵⁰ Coronata,⁵¹ Cappello,⁵² Lanza,⁵³ McHugh-Callan,⁵⁴ Regatillo,⁵⁵ and Wernz-Vidal⁵⁶ speak of a law whose “purpose,” “end,” or “total cause” ceases, “loses its force” or “falls.” By that very fact, it is then no longer a “rational norm,” having lost the purpose for which it was promulgated. Such a law, as the Wernz-Vidal commentary on the Code of Canon Law says, then “has fallen without a

⁴⁸ T. Lincoln Bouscaren SJ & Adam C. Ellis SJ, *Canon Law: A Text and Commentary*, (Milwaukee: Bruce 1946), 35. “A law may cease to bind in two ways: either by repeal, which is called extrinsic cessation, or by becoming inoperative without repeal, which is called intrinsic cessation. It is common doctrine that a law ceases to bind without repeal in two cases: first, if the circumstances are such that the law has become positively harmful or unreasonable; second, if the purpose of the law has entirely ceased for the entire community.”

⁴⁹ *Man. Theol. Moralis*, 1:269-71. “Lex ipsa tripliciter cessare potest: - 2. per cessationem finis totalis. - Cessatio finis totalis, seu causæ motivæ *adæquate*, ob quam lex lata est, producit cessationem ipsius legis. Ratio est, quia cessante causa totali, etiam effectus cesset oportet.” (His emphasis.)

⁵⁰ Udalricus Beste OSB, *Introductio in Codicem*, (Collegeville: St. John’s 1946), 89. “...ab intrinseco per cessationem finis seu causæ motivæ, quæ legislatorem induxit ad legem ferendam.”

⁵¹ Matthæus Conte a Coronata OFMCap, *Institutiones Juris Canonici*, (Rome: Marietti: 1950), 1:28. “Ipsa lex non sola eius obligatio dupliciter cessare potest: *ab intrinseco* et *ab extrinseco*.” (His emphasis.)

⁵² Felix M. Cappello SJ, *Summa Juris Canonici*, 4th ed., (Rome: Gregorian 1945), 1:101. “Lex cessare potest *ab intrinseco* et *ab extrinseco*, prout corrui ex se ipsa, vel tollitur per actum positivum externum competentis Superioris. - 1. Cessatio ab intrinseco. - 1. Si lex non est amplius *norma rationabilis* ammittit eo ipso vim suam. Id autem pendet ex fine, qui habet rationem boni, cuius intuitu præcise lex fertur.” (His emphasis.)

⁵³ Antonius Lanza, *Theologia Moralís*, (Rome: Marietti 1949), 1:252. “Lex ab intrinseco cessat, aut transacto tempore ad quod lata est, aut cessante eius fine.”

⁵⁴ John A. McHugh OP and Charles J. Callan OP, *Moral Theology: A Complete Course*, (New York: Wagner 1929), 1:500. “A law ceases *from within* (i.e., of itself), when through a change of conditions the purpose for which it was made no longer exists, or is no longer served by the law. - A law no longer serves its purpose, if, from having been useful, it *has become useless*, inasmuch as it is no longer necessary for the end intended by the lawgiver. In this case the law ceases, for regulations should not be imposed needlessly.” (His emphasis.)

⁵⁵ Eduardus Regatillo SJ, *Institutiones Juris Canonici*, 5th ed., (Santander: Sal Terræ 1956), 1:98. “Cessatio ab intrinseco. - A. Cessante fine pro communitate: - in casis præcedentibus lex *ipso facto* cessat absque legislatoris declaratione.”

⁵⁶ F.X. Wernz SJ and P. Vidal SJ, *Jus Canonicum*, (Rome: Gregorian 1938), 1:187. “...cessatio *ab intrinseco* cum lex corrui sine *speciali* actu legislatoris.” (His emphasis.)

special act of a legislator.” Or as Regatillo put it, the law “ceases *ipso facto* without a legislator’s declaration.”

McHugh-Callan⁵⁷ and Cicognani⁵⁸ give as examples laws which prescribe abstinence from certain foods, or decree a fast to obtain relief from various dangers.

Of particular interest to us here are laws which prescribe that certain prayers be recited to obtain some specific end. Once the end either *can no longer* be obtained or *has been* obtained, the law prescribing the prayer goes out of existence.

Moralists and canonists give the following examples:

- “If a bishop has prescribed a prayer for the recovery of the king’s health, once the king is dead, by that very fact the prayer must be omitted.”⁵⁹
- “... when the health of the pontiff is to be obtained, for example, if his health would be obtained, or if the pontiff would die.”⁶⁰
- “If a bishop should prescribe prayers to obtain peace and good weather, the obligation would cease once both purposes together are obtained.”⁶¹

⁵⁷ *Moral Theology*, 1:501. “Example: The Council of Jerusalem made a law that the faithful should abstain from using as food animals that had been strangled (Acts, XV.20). The purpose of the law was to avoid offense to the Jewish converts, who at that time formed a large part of the Christian community and who had a religious abhorrence for such food. But shortly afterwards, the Gentile element having become stronger in the Church, no attention was paid to ceremonial rules of Judaism.”

⁵⁸ *Canon Law*, 627. “The end (either its purpose or cause) of the law ceases *adequately* when all its purposes cease; *inadequately*, when only some particular purpose of the law ceases (e.g., fasting is enjoined in order to end an epidemic and to obtain rain; and the rain comes but the epidemic continues its ravages).” (His emphasis.) If both rain were to come and the epidemic were to cease, obviously, both purposes of the law would cease, and the law along with it.

⁵⁹ Prümmer, 1:271. “Sic e.g. si episcopus præscripsit orationem pro recuperanda regis sanitate, mortuo rege, eo ipso hæc oratio omittenda est.”

⁶⁰ Benedictus H. Merkelbach OP, *Summa Theologiæ Moralis*, (Paris: Desclée 1946), 1:398. “Cessat quando iam est obtentus vel amplius obtineri nequit, v.g. sanitas pontificis obtinenda si obtenta fuerit vel si pontifex moriatur.”

⁶¹ Beste, 89. “Quare si episcopus preces præscripserit ad obtinendam pacem et aeris serenitatem, obligatio desinit obtento utroque fine simul, non autem alterutro dumtaxat.”

A historical commentary on the Mass, written in 1949, speaks even more directly to our case. The author, Father Bede Lebbe, observed that Leo XIII prescribed the October Rosary Devotions⁶² for the resolution of the Roman Question, and that the Devotions ceased to be obligatory once the Lateran Treaty was signed in 1929.⁶³

The Leonine Prayers, Father Lebbe said, were offered for the same intention, and likewise became optional when the Lateran Treaty was signed – until, of course, Pius XI decreed that they be applied to the intentions of the persecuted Church in Russia. Father Lebbe then added:

As the situation in that country continues to be far from favourable, it is clear that the obligation still exists of reciting after Mass the three *Aves*, the *Salve Regina* and the two prayers.⁶⁴

According to his line of reasoning, obviously, a change in the situation would mean that the obligation to recite the Leonine Prayers would no longer exist.

It remains, then, to apply the principles to the case of the Leonine Prayers:

- 1) Catholic moralists and canonists teach that a law ceases (or dies) when the end for which it was instituted is obtained.
- 2) The end Pope Pius XI prescribed for the Leonine Prayers was that “tranquility and freedom to profess the faith be restored to the afflicted people of Russia.”
- 3) This end has recently been obtained.
- 4) The law prescribing the recitation of the Leonine Prayers has therefore ceased.

⁶² These consisted of the recitation of the Rosary, Litany of Loreto and Prayer to St. Joseph, either during Mass or before the Blessed Sacrament exposed, each day from October 1 through November 2.

⁶³ Bede Lebbe OSB, *The Mass: A Historical Commentary*, (Westminster MD: Newman 1949), 167.

⁶⁴ Lebbe, 167-68.

Finally, what if Russia would again begin persecuting Catholics? Would one again be obliged to recite the Leonine Prayers?

No. For once a law ceases this way, Regatillo⁶⁵ and Cardinal Palazzini⁶⁶ explain, a new act from the legislator would be required to reintroduce it.

5. The Use of Other Prayers

If the law on the Leonine Prayers has ceased, could the priest then publicly “pray for America” (as our friend suggested), or for some other intention?

The mind of the Church, it appears, is that *some* types of prayers, at least, may indeed be recited after Low Mass on certain occasions.

Some countries had their own special customs in this regard. In England, for instance, the Prayer for the King was said, in Latin or English, depending on diocesan law.⁶⁷ In Ireland, Psalm 129 (the *De Profundis*) and a Collect for the Faithful Departed were recited before the Leonine Prayers.⁶⁸

General legislation made allowances for adding other prayers. In response to an inquiry, the Sacred Congregation of Rites decided that the priest could recite some prayers at the altar after Mass, as long they were said with the permis-

⁶⁵ *Institutiones*, 1:98. “... nec reviviscit redeunte causa finali, materia aut subiecto, sed debet denuo promulgari.”

⁶⁶ Petrus Palazzini, *Dictionarium Morale et Canonicum*, (Rome: Catholic Book Agency 1962), 1:657. “... non reviviscit redeunte causa finali, ut iterum obliget, requiritur novus actus legislatoris ecclesiastici, eam iterum introduceret.”

⁶⁷ E.J. Mahoney, *Priests' Problems*, ed. by L.L. McReavy, (New York: Benziger 1958), 118.

⁶⁸ Of the origin of this practice, Lebbe, 168, says: “Some liturgists see in it a compensation for the numerous endowments and foundation Masses for the Dead, all records of which were wantonly destroyed by Protestantism; or else a prayer of the Church for all those who were killed during the years and the persecutions of the seventeenth century, and in the Penal Times and buried without the comforting presence of a priest, or the blessing and prayers of the Liturgy.” The Irish clergy apparently introduced this practice in Australia – to avoid, some said, having to recite the Prayer for the King of England.

sion of the Ordinary (diocesan bishop).⁶⁹ In his book of replies on various liturgical questions, Father Mahoney says that the Ordinary's permission may sometimes be presumed "when there exists some good reason for adding prayers."⁷⁰ One sacristy manual notes that the Divine Praises or indulgenced prayers for the dead may be added.⁷¹

While it is not advisable to add extra prayers after Low Mass each time it is celebrated,⁷² the addition from time to time of some prayer or short devotion after Low Mass – the opportunity to venerate a relic, for example – is certainly in keeping with the legislation and the commentaries cited above. With a little thought and foresight, moreover, one can harmonize the prayer with the feast day or particular liturgical season (always the ideal, of course).

Not just any prayer will do. The priest should not use the invariable, devotional, novena-type prayers because of their essentially private character. For the same reason, the priest

⁶⁹ S.R.C. Decree Mechlin., 31 August 1867, 3157. "VII. Quæritur: An possint præcipi, aut saltem permitti aliquæ preces recitandæ ad Altare post Missam, non depositis sacris vestibus. Obstare videtur Decretum in Conversanen. die 31 Augusti 1669. Ad VII. Affirmative; dummodo preces dicantur assentiente Ordinario."

⁷⁰ *Priests' Problems*, 119-20. "If he desires to add to those ordered, the above reply leaves it with the local Ordinary to determine its legality, and the writers concede a certain latitude on the supposition that the Ordinary's permission may sometimes be presumed; in fact, the replies of the Sacred Congregation of Rites in nn. 3537, 1, and 3805, can be harmonised with the n. 3157 above only by supposing that a presumed permission suffices. It may be presumed when there exists some good reason for adding prayers."

⁷¹ Joseph Wuest CSsR, *Matters Liturgical: The Collectio Rerum Liturgicarum*, trans. and rev. by Thomas W. Mullaney CSsR, (New York: Pustet 1925), 188.

⁷² A priest who regularly tacks onto the end of the Mass lengthy vernacular prayers of his own choosing imparts a false idea to his people: That while liturgical functions (the Mass, etc.) are good as far as they go, to have "real prayer," you must add something afterwards in the vernacular. Some priests in the traditional movement, unfortunately, already add not only a lengthy series of vernacular prayers *after* Mass, but also an equally lengthy series *before* as well. Repeatedly sandwiching the Mass between elements that are not part of the Church's official worship diminish its importance as the prayer *par excellence*. Their attitude reflects the sort of wrong-headed view of the Sacred Liturgy illustrated by a well-known story: A group of Canons were chanting Vespers in a great cathedral when a terrifying thunderstorm erupted. The Dean signaled the clergy to cease their chanting, and announced: "Because of the danger from the storm, Fathers, we will stop the Office so we can say some prayers together."

should not recite aloud with the people prayers intended for thanksgiving after Holy Communion. Nor should this be an occasion to recite prayers for what are purely private intentions – for some individual’s health, prosperity, etc.

The texts of the prayers, rather, should have a “public” or “universal” character. (They should also, if possible, be indulgenced.) This is implicit in Rome’s requirement that one have the permission of the Ordinary, who possesses the authority locally to regulate public worship.

If a priest “presumes” this permission (as Father Mahoney would allow), he should turn to the prayers the hierarchy of the Church has *already* approved for public recitation at the altar. These he will find collected in altar manuals approved before Vatican II.⁷³ Among the prayers authorized were the approved Litanies, Psalm 129 for the Dead, a prayer for the civil government⁷⁴ or sovereign, the Act of Consecration to the Sacred Heart, the Pentecost Novena, the Prayer for Peace, the Devotion for Church Unity, and a handful of other prayers. All of them are profound, well-phrased, traditional, dignified, universal in character, and easily harmonized with the Sacred Liturgy.

None of the approved altar manuals I have come across breaks up the texts with asterisks or otherwise indicates that the priest and the congregation are to recite the texts aloud together. The congregation’s role is limited to short responses (for the litanies, versicles, Divine Praises) and to the occasional Amen.

The priest should follow this pattern, and limit the congregation’s role to a few responses of this sort. Catholics have difficulties reciting lengthy texts together. Each layman also thinks the version of the prayer he remembers is

⁷³ For the U.S., *Enchiridion Precum: Altar Prayers*, (New York: Benziger 1941); *Altar Manual Compiled from New and Approved Sources*, (New York: Kenedy 1953). Similar collections, no doubt, likewise exist for other nations.

⁷⁴ In most countries, this consisted of a versicle and Collect. In the U.S., however, it was customary to use parts of a longer prayer for the Church and government composed by Archbishop Carroll. The passages usually employed are the ones which refer specifically to the government.

the “correct” version anyway, and will recite it no matter what.⁷⁵ Handing out the texts, moreover, and insisting that the congregation recite them with the priest, undercuts the priest’s role, and smacks of the *Novus Ordo* idea that the people must recite each and every word of a prayer for it to “work.”

The priest should remove his manipule for these prayers, and for longer devotions, perhaps even his chasuble. The prayers, remember, are not part of the Mass.

For the same reason, the priest should employ only brief texts – no longer than the Leonine Prayers, say. Moral theologians, after all, say that a layman’s obligation to assist at Mass on a Sunday or Holy Day is fulfilled once the priest has finished the Last Gospel. Pope Benedict XIV and St. Alphonsus, moreover, teach that a public Low Mass – not counting the sermon and distributing Holy Communion – should normally not take much more than half an hour. This limit should be observed, as Regatillo noted, “lest those hearing Mass be wearied.”⁷⁶ In the matter of these prayers, let us therefore exercise the same prudent restraint and concern for “weaker brethren” that is found in the writings of the Church’s most eminent theologians.

* * * * *

Traditional Catholics tend to be pessimists. This is natural enough, given the terrible events which have unfolded in both the Church and modern society since the 1960s. The various factions in the traditional movement may never agree about the Pope, the validity of the modern sacraments, or interpretations of canon law, to be sure. But the one thing

⁷⁵ Witness the confusion which inevitably occurred in places where the congregation recited the St. Michael Prayer together. Everyone followed his own version. The babble of tongues which resulted often sounded like something out of a prayer meeting for *Novus Ordo* charismatics.

⁷⁶ Eduardus F. Regatillo SJ and M. Zalba SJ, *Theologiæ Moralis Summa*, (Madrid: BAC 1954), 3:194. “Si publice celebratur, curandum ne Missa semihoram multum excedat, ne audientes tædio afficiantur.”

we'd agree on in an instant would be our common motto: Expect and believe the worst, and you'll never be disappointed.

This pessimism carries over into our prayers. Time and again, traditional priests or writers will recommend this prayer or that in order to end one evil or another in the Conciliar Church or in modern society. But the evil whose end we pray for seems to continue anyway. We see no concrete result for the recommended prayer. And we trudge grimly on to pray that yet *another* evil end, secretly suspecting, perhaps, that God will never allow us to see any visible fruit from *that* prayer either.

The recent developments in Russia should be cause for a little less gloom and a little more optimism about our prayers. We traditional Catholics, after all, are the ones who kept right on saying the Leonine Prayers for our persecuted brethren in Russia. We may not have understood exactly what the Church's intention was for these prayers, but God certainly did. And in His providence He granted His Church's petition and our own.

Here, then, is something we traditional Catholics can point to as some welcome good news – and as a concrete confirmation of the power of the Church's prayer.

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Appendix 1

Prayer to St. Michael from the Exorcism against Satan and the Apostate Angels (Approved 18 May 1890)

NOTE: In 1902 the Congregation of Rites issued a decree approving a new version of the prayer. The passages indicated in bold face below were removed.

O glorious Archangel St Michael, Prince of the heavenly host, defend us in battle, and in the struggle which is ours against the Principalities and Powers, against the rulers of this world of darkness, against spirits of evil in high places. (Eph 6.) Come to the aid of men, whom God created immortal, made in his own image and likeness, and redeemed at a great price from the tyranny of the devil, (Wis. 2; 1 Cor. 6.)

Fight this day the battle of the Lord, together with the holy angels, as already thou hast fought the leader of the proud angels, Lucifer, and his apostate host, who were powerless to resist thee, nor was there place for them any longer in Heaven. But that cruel, that ancient serpent, who is called the devil or Satan, who seduces the whole world, was cast into the abyss with all his angels, (Apoc. 12.)

Behold, this primeval enemy and slayer of man has taken courage. Transformed into an angel of light, he wanders about with all the multitude of wicked spirits, invading the earth in order to blot out the name of God and of his Christ, to seize upon, slay and cast into eternal perdition souls destined for the crown of eternal glory. This wicked dragon pours out, as a most impure flood, the venom of his malice on men of depraved mind

and corrupt heart, the spirit of lying, of impiety, of blasphemy, and the pestilent breath of impurity, and of every vice and iniquity.

These most crafty enemies have filled and inebriated with gall and bitterness the Church, the spouse of the Immaculate Lamb, and have laid impious hands on her most sacred possessions.

In the Holy Place itself, where has been set up the See of the most holy Peter and the Chair of Truth for the light of the world, they have raised the throne of their abominable impiety, with the iniquitous design that when the Pastor has been struck, the sheep may be scattered.

Arise then, O invincible prince, bring help against the attacks of the lost spirits to the people of God, and bring them the victory.

The Church venerates thee as protector and patron; in thee holy Church glories as her defense against the malicious powers of this world and of hell; to thee has God entrusted the souls of men to be established in heavenly beatitude.

Oh, pray to the God of peace that He may put Satan under our feet, so far conquered that he may no longer be able to hold men in captivity and harm the Church. Offer our prayers in the sight of the Most High, so that they may quickly conciliate the mercies of the Lord; and beating down the dragon, the ancient serpent, who is the devil and Satan, do thou again make him captive in the abyss, that he may no longer seduce the nations.

Appendix 2

A Response to Fr. Kelly

Sacerdotium 6, Winter 1993

In his October 1992 Bulletin, the Rev. Clarence Kelly portrays my article "Russia and the Leonine Prayers" (*Sacerdotium*, Fall 1992) as some sort of exercise in Fatima-bashing. All those priests who read what I actually wrote will be puzzled by Father Kelly's violent language.

In my article, I discussed a variety of issues connected with the Leonine Prayers (also known as "The Prayers after Low Mass"). Among other things, I noted that I was unable to discover any church law either connecting the Leonine Prayers to the Fatima Message or stipulating that the prayers were offered to obtain the conversion of Russia *to the Catholic faith*.

In addition, I pointed out the following:

- 1) The precise object (intention) Pope Pius XI decreed for the Leonine Prayers was that "tranquillity and freedom to profess the faith be restored to the afflicted people of Russia."
- 2) The object of the law prescribing these prayers has recently been obtained, since Catholics in Russia are in fact now free to profess the faith.
- 3) Canonists teach that once the object of a law has been obtained, the law ceases to exist (or dies).
- 4) Accordingly, the law prescribing the Leonine Prayers has ceased to exist.
- 5) It is permissible, moreover, to recite other prayers for other intentions in lieu of the Leonine Prayers.

All of this is pretty tame stuff. Yet in the course of a circular which covered only two sides of a single page, Father Kelly managed to denounce me to the laity as a ravening wolf; a man "speaking perverse things"; the purveyor of an "insult to Our Lady of Fatima"; a Modernist-like player of word

games; someone who confuses, discourages, reforms and destroys; someone who insults the intelligence of Catholic priests and faithful; a promoter of the devil and a diabolical cause; a purveyor of compromise, and an intimidator.

These are nothing but personal attacks, of course, and they are odious. Instead of returning tit for tat, let us address a few substantive issues by way of reply:

1. Pius XI's allocution. As I noted in my article, the Allocution of Pope Pius XI (30 June 1930) which legislated the intention for the Leonine Prayers mentioned nothing whatsoever about the "conversion of Russia to the Catholic Faith" and nothing whatsoever about the Fatima Message.

Both the plain words of Pius XI's allocution ("Christ, the Redeemer of the human race, is therefore to be implored to permit tranquility and freedom to profess the faith to be restored to the afflicted people of Russia"), and the context in which the words appeared (after the pontiff's prefatory remarks about a recent outbreak of persecutions in Russia) make it clear that an *end to persecution*, and *not* a general conversion of Russia to the Catholic Faith, was the object the pontiff was legislating for these prayers.

I merely reported what the pontiff said and what he didn't say. If Father Kelly wishes to rail against someone, let him rail against Pius XI, the author of the legislation. But please don't shoot at the messenger.

2. The liturgist O'Connell. Father Kelly quotes a work by the liturgist O'Connell, who says that the Leonine Prayers are to be said "for Russia." Father interprets these two words to mean that prayer "for Russia – period" was the real object of the Prayers after Low Mass. Praying for the *conversion* of Russia, Father reminds us, comes under the broader general heading of "praying for Russia," and so praying for Russia's conversion to the Catholic faith is following what Pius XI actually prescribed. (I think this is Father's point.)

There are two difficulties I see here.

First, Pius XI's allocution is quite specific in legislating

the intention for the prayers. O'Connell's two-word phrase, on the other hand, is merely an allusion he makes in passing, and is no substitute for the words of the legislator.

Second, if one maintains that prayer "for Russia – period" was the *general* object of the Leonine Prayers, and that a prayer offered for some *particular* need of Russia satisfies this obligation – "conversion to the Catholic faith in fulfillment of the Fatima Message," as Father Kelly would have it – theoretically one would have been free to designate *other* particular needs of Russia as objects for the prayers as well: the abolition of the KGB, the demise of the schismatic Orthodox Church, speedy rural electrification, the success of collective farms, or an increase in tractor production. Prayer for these objects would have been "for Russia" as well. Construe O'Connell's words in the general sense (as Father Kelly does) and this is where logic will lead you.

3. Canon 28. Father Kelly asserts that "praying for the conversion of Russia" is a custom which, even if it were contrary¹ to the law, would, according to Canon 28, have the force of law after forty years. He quotes the following from the canonist Augustine's translation of Canon 28:

A custom beyond the law... becomes a law if it is reasonable and has been legitimately observed for forty full and continuous years.

Father adds that 62 years have elapsed since Pius XI's Allocution. His readers are meant to infer from this that "praying for the conversion of Russia" (as Father understands the phrase), therefore, has the force of law.

The first difficulty is that Father does not identify exactly when, where and how the alleged custom arose, or by whom it was observed. These are essential issues if one wishes to claim that a custom enjoys the force of law.

¹ I think he means "beyond" or "outside" (*præter*) the law rather than "contrary to" (*contra*) the law, since the former alone is a custom properly speaking, while the latter does not create law, but merely removes the obligation of observing a law contrary to custom.

Instead, Father merely *presumes* that from 1930 onwards, all Catholics everywhere, by means unknown, spontaneously took up the custom of offering the Leonine Prayers for the conversion of Russia to the Catholic Faith in the fulfillment of the Fatima Message. He presents no evidence whatsoever for his assumption.

The second difficulty is far more serious. Father's readers do not realize that he has omitted something important from his quote from Canon 28. When we restore what Father has cut out and replaced with three dots ("..."), we discover that the canon reads:

A custom beyond the law, **which has been knowingly observed by a community with the intention of binding itself**, becomes a law if it is reasonable and has been legitimately observed for forty full and continuous years.

This changes the whole picture. Mere custom, then, is not enough. A community's *intention to bind itself* is a *necessary condition* which must exist before one can argue that a custom has the force of law.

How can we tell if a community *lacks* the intention to bind itself? If, says the canonist Regatillo, "an act is performed out of devotion, politeness, etc., or if it is optional – that is, if one can perform it or omit it without sin." In cases, moreover, where a doubt exists as to whether a practice is one of obligation or one merely of devotion, "it should be regarded as one of devotion, because no one is presumed to wish to bind himself, and because it is not fitting to multiply precepts."²

The canonist Cicognani likewise notes that an act performed out of mere devotion is not sufficient to introduce a custom, and adds: "Similarly, no custom is introduced when people perform an act because they erroneously regard it as obligatory."³

² E.F. Regatillo, *Institutiones Juris Canonici*, 5th ed. (Santander: Sal Terræ 1956), 1:112.

³ Amleto Giovanni Cicognani, *Canon Law*, 2nd rev. ed., trans. by Joseph M. O'Hara (Westminster MD: Newman 1934), 648-49.

Linking the Leonine Prayers to the Fatima Message, or to the notion of converting Russia to the Catholic Faith, falls squarely under these headings. It was a devotional practice a tiny handful of traditional priests (myself included) took up a number of years ago. We simply misunderstood the legislator's intention, and substituted another intention *ex devotione* and *ex errore vel ignorantia*. But according to the teaching of the canonists, a devout mistake like this is not sufficient to establish a custom which acquires the force of law.

In light of the foregoing, therefore, Father Kelly's omission of the phrase from Canon 28 was especially unconscionable. It completely distorted the meaning of the canon. Since the words sit there plain as day in English, and in the middle of the very passage which he cited from Augustine's commentary, it is not unreasonable to conclude that Father Kelly's misrepresentation of his source was intentional.

4. Pilgrim Virgin in Red Square. In my article, as I noted in my reply to Mr. Weiskittel's critique, I cited the following as evidence that Catholics now enjoy freedom to profess the faith in Russia: the new law on religious freedom, pronouncements of various academics familiar with Russian law and affairs, numerous accounts in the religious and secular press about the freedoms Catholics enjoy, and the establishment of a traditionalist Mass center in Moscow.⁴

Father discounts all this and maintains that the object for which the Leonine Prayers were prescribed has still not been obtained.

The same day Father Kelly's critique arrived in the mail, I also came across an article in *National Catholic Register* (see below) which related how Catholics in Moscow celebrated the 75th anniversary of the apparition of Our Lady of Fa-

⁴ The reader should not infer from my citing of activities by *Novus Ordo* clergy that the *Novus Ordo* should be considered the Catholic Faith. I have cited instances of *Novus Ordo* activity in Russia only because they are perceived to be Catholic. From the constitutional changes and from the examples adduced, however, it is evident that anyone could practice the traditional faith in Russia as well.

tima.

On October 18 a thousand Catholics, bearing immense images of Christ and Our Lady, held a religious procession and service in Red Square. A declaration proclaiming Christ and Our Lady King and Queen of Russia was read in the square from the top of a monument from which the czars once promulgated their edicts.

At midnight the Pilgrim Virgin statue was crowned – in front of Lenin’s tomb during the changing of the guard.

A bishop, secretly consecrated underground forty years earlier, consecrated Russia to the Immaculate Heart. Of this happy occasion, he said:

“At this moment, we see Mary’s triumph complete. There is no more communism. There is no Soviet Union. And here, publicly before Lenin’s tomb, we acknowledge her queenship with this coronation.”

To continue, in the face of such events, to maintain that Catholics in Russia do not now enjoy “tranquility and freedom to profess the faith” reflects a near-total blindness to reality.

5. Research-free demagoguery. I considered my study of the Leonine Prayers to be a serious undertaking. The research and writing took six months. The completed article covered 31 pages in *Sacerdotium*, was accompanied by a 47-work bibliography, and provided extensive references for anyone who wished to check my sources.

The study was circulated among a relatively small group – the few hundred priests who receive *Sacerdotium*, and some of my lay friends who are well attuned to theological or liturgical issues.

Father Kelly, obviously, took exception to the conclusions I reached. The appropriate forum for him to have voiced his objections, logically, would have been *Sacerdotium*. He could have written a letter, or researched and submitted an article, and (I suppose) we could have fought it out there.

Instead of addressing the issues in a reasonable fashion and in an appropriate forum, Father composed a harangue

against me and grossly misrepresented my position. This he sent out not to priests, but members of the laity, who had not read the article. His intention, clearly, was to foment yet another public dispute.

Moreover, rather than attempting to back up his position with an array of references to approved authorities, Father Kelly resorts to demagoguery – using personal attacks, exaggerated language and fervid emotional appeals.

In order to illustrate the method Father employed, let us imagine how one could reply to him in kind: “Father Kelly insults His Holiness Pope Pius XI (Christ’s Vicar on earth!) and the intelligence of the Catholic laity. He pretends that the pontiff who condemned the errors of religious liberty was a complete fool who didn’t mean what he said about the intention for the Prayers after Low Mass. Father Kelly is like a modernist, who reinterprets papal pronouncements to suit his personal whims. This is incredible and shocking. We are Catholics. We want to obey Pius XI, not Father Kelly. Don’t compromise. We reject and condemn communion with the blue-suit-and-tie *Novus Ordo* bishop who performed secret ordinations for Father Kelly’s Group (and later denied it). Stand up for church law. Stop the nonsense. Don’t be intimidated. No changes in papal teachings! And if Father Kelly...

Well, enough. This is exactly the level and tone of Father’s argument. Such demagoguery has its advantages. The finished product sounds very stirring. It takes no time at all to write and calls for very little thought. (I cranked out the passage in the previous paragraph in under two minutes.) And most important of all, it requires no research whatsoever.

Father Kelly’s noisy demagoguery over the issue of the Leonine Prayers is a poor substitute for thought, research and rational discourse. Priests and laymen everywhere should see it as such.

29 November 1992

Appendix 3

Triumph in Moscow

National Catholic Register, Nov. 29, 1992

Nearly 1,000 “peace pilgrims” entered Moscow’s Red Square on October 18th after praying before the temporary chapel where the Basilica of Our Lady of Kazan is under construction opposite Lenin’s tomb.

Bearing two immense icons of Jesus, King of All Nations, and the Missionary Image of Our Lady of Guadalupe, the group (in Moscow for the 75th anniversary celebration of the Fatima apparitions) was described by eyewitnesses as “an irrepressible wave” as they moved to the center of the square.

Daniel Lynch of St. Albans, Vt, official guardian of the images, there proclaimed Jesus Christ “King of Russia and all nations” on top of the monument from which the czars once read their edicts. A statue of Our Lady of Fatima was then similarly crowned as Queen of Russia by John Haffert, founder of the Blue Army.

Later on, at midnight, participants of the World (Fatima) Youth Congress in Moscow, accompanied by six Catholic bishops, prayed the rosary and crowned the famous Pilgrim Virgin statue of Our Lady of Fatima near the Basilica of St. Basil in Red Square. The crowning took place in front of Lenin’s tomb at the time of the changing of the guard.

Among the prelates present was Bishop Pavel Hnilica who, more than four decades earlier, had been secretly ordained a bishop behind the Iron Curtain. In pouring rain, Hnilica then consecrated Russia to the Immaculate Heart of Mary. According to reports, the downpour stopped instantly. Deeply moved, Hnilica said on this occasion: “At this moment, we see Mary’s triumph complete. There is no more communism. There is no more Soviet Union. And here, publicly before Lenin’s tomb, we acknowledge her queenship with this coronation.”

CANON LAW AND COMMON SENSE

Why Traditional Catholics are Not Outlaws

Rev. Anthony Cekada
Sacerdotium 7, Spring 1993

The typical diocese these days is the scene of all sorts of dangerous craziness. Priests attack defined Catholic teachings on faith and morals. Nuns push for women's ordination. Masses are celebrated featuring puppets, balloons, clowns and dance. The nearly-empty seminary and nominally-Catholic university are hotbeds of religious subversion.

Every once and a while, however, the men responsible for this state of affairs take time out. The bishop or some diocesan official will assume a serious mien and issue a solemn warning: There is a chapel in our diocese, he says, where a priest offers the traditional Latin Mass. This is illicit and violates canon law, so beware!

On the flip side of the same coin, there have always been a few people in the traditional movement who vehemently oppose the New Mass and Vatican II, but who nevertheless condemn all (or most) traditional Catholic priests or chapels as "illicit" or "against canon law."

Typically, some layman with an ax to grind will get hold of an English paraphrase of the Code of Canon Law (the official text exists only in Latin), and, like a Protestant handling scripture, will treat his discovery as a handy source for "proof-texts" he can use to dismiss everyone else in the traditional movement as "non-Catholic." He has no idea that, as with scripture, there are authoritative principles and rules which must be followed for applying the particulars of the Code. And as the would-be lay canon lawyer circulates his articles condemning everyone else for not adhering literally to the canons, it never occurs to him that his *own* project is equally "illicit" – for his writings do not bear the official *Imprimatur* required by Canon 1385.

In either case – statements from the modernist establishment or polemics from self-styled lay canonists – Catholics

who go to a traditional Mass sometimes find such accusations troubling. Good Catholics, we know, should try to obey the law. Is what we do really against canon law, or somehow illicit, and therefore wrong?

Common sense tells us that the answer is no. Sacrilege and doctrinal error abound. It hardly seems reasonable that the thousands of rules intended for ordinary times in the Church would all still apply in face of such an extraordinary situation.

Most laymen in the traditional movement instinctively adopt this common-sense approach. Without realizing it, they've put into practice a very common-sense principle that Catholic canonists (canon law experts) have always used for applying canon law: the principle of *equity*.

Equity (one could also call it "fairness") recognizes that following the letter of a church law can, in certain extraordinary situations, be both harmful and wrong. Traditional Catholics who understand how equity is applied will be well prepared to explain why their course of action is proper.

Here we will consider:

- 1) The purpose of church law, and the principle of equity.
- 2) How equity applies to the situation of traditional Catholic priests and chapels.

I. PURPOSE & PRINCIPLES

To apply church laws intelligently, one must first understand the fundamental principles. Here are a few important considerations.

A. The Common Good

Canon law manuals usually begin with St. Thomas Aquinas's classic general definition of law: "an ordinance of reason for the common good promulgated by the person who has care of the community."

Theologians divide law into two broad categories:

- 1) *Divine law*. This in turn is divided into the *eternal* law (God's reason and will), the *natural* law (the knowledge of good and evil written on every man's heart), and the *divine-positive* law (the Old and New Testaments).
- 2) *Human law*, which is divided into *ecclesiastical* law and *civil* law.

Church law, therefore, falls under the heading of *human* law.

By definition all law is directed toward the common good. In the case of ecclesiastical law, says the theologian Merkelbach, the specific "common good" the Church intends is "the worship of God and the supernatural sanctification of men."¹ This is the overall aim or goal of all the Church's laws.

When discussing the general principles of church law, moreover, all the great Catholic moral theologians and canonists stress that specific laws are supposed to work justice – not just *legal* justice (strict conformity to the letter of the law), but *natural* justice (what we truly have a moral right to).

The great canonist Cicognani (later a Cardinal) therefore says that applying the law is "the art of all that is good and equitable." This art, he says, "ought to consist in a correction of the strict letter of law that works an injury, or when a positive human law is not in harmony with the principles of natural justice, or again when it is in itself so deficient that what is legally right becomes morally wrong."²

Like other authors, Cicognani points out a problem: "A human lawgiver is never able to foresee all the individual cases to which a law will be applied. Consequently, a law, though just in general, may, taken literally, lead in some unforeseen cases to results which agree neither with the intent of the lawgiver nor with natural justice, but rather contravene them. In such cases the law must be expounded not

¹ B. Merkelbach, *Summa Theologiæ Moralis* (Paris: Desclée 1946), 1:325.

² A. Cicognani, *Canon Law* (Westminster Md.: Newman 1934), 13.

according to its wording but according to the intent of the lawgiver and according to the principles of natural justice.”³

B. Equity: Its Necessity

This brings us to a principle of singular importance for applying canon law nowadays: *equity*.

Equity (sometimes also called *epikeia* or *epiky*) is typically defined as follows: “The benign application of the law according to what is good and equitable, which decides that the lawgiver does not intend that, because of exceptional circumstances, some particular case be included under his general law.”⁴ Others like the Dominican canonist and moral theologian Prümmer add that equity is an interpretation of the *mind* of the lawgiver, “who is presumed to be unwilling to bind his subjects in extraordinary cases where the observance of his law would cause injury or impose too severe a burden.”⁵

The reason theologians allow equity to be used harks back to our definition of law: an ordinance of reason *for the common good*. Indeed, theologians say that neglecting to apply equity when the common good is at stake is *morally wrong*. A person subject to the law may in certain cases, says Merkelbach, “act outside the letter of the law, to wit, when the letter of the law would be harmful to the common good. - - Therefore in a case where the observance of the law would be harmful to the common good, *it should not be obeyed*.”⁶ This is also the teaching of St. Thomas, who says: “In certain cases to follow [a law] is against the equality of justice and against the common good which the law intends. - - In such cases *it is bad to follow the law*; it is good to set aside its letter and follow the dictates of justice and the common good.”⁷

³ *Canon Law*, 15.

⁴ Cicognani, 15.

⁵ D. Prümmer, *Manuale Theologiæ Moralis* (Barcelona: Herder 1949), 1:231.

⁶ *Summa Theol. Mor.*, 1:296. My emphasis.

⁷ *Summa Theol.* II-II.120.1.

Nor does one who applies equity violate the law. On the contrary, he “acts licitly.”⁸ Such an application of law “is *legal*, that is *lawful*, although it disagree with the strict letter of the law.”⁹

Cicognani observes:

If equity among the pagans was not unimportant - - much more ought equity to obtain in ecclesiastical discipline, in canon law, and in the Church. For the Church, apart from the fact that she is a mother, merciful, holy, and indulgent, has as her end the salvation of souls, the *supreme law*, which frequently requires the correction of certain other laws.¹⁰

Cicognani here has alluded to an old adage in church law: *Salus animarum suprema lex* – the salvation of souls is the supreme law. It is *divine* law – God’s will and goal for us – that souls be saved.

What if a lower type of law sometime conflicts with a divine law? “The greater obligation prevails,” say the moralists McHugh and Callan, “and the lesser obligation disappears.”¹¹

Equity, finally, is not license to set aside all church laws. While it seeks to serve justice, it is also related to *prudence* – selecting and putting into practice means appropriate to achieving some good end, or avoiding some evil. Specifically it is related to a potential part of prudence called the *sense of exception* (or *gnomé*) which *controls* our proper application of rules and our appeal to higher principles, should it become necessary to set a rule aside.¹²

C. Summary of Principles

We’ll sum up the principles discussed so far:

⁸ Merkelbach, 1:296.

⁹ Cicognani, 15.

¹⁰ *Canon Law*, 17.

¹¹ J. McHugh & C. Callan, *Moral Theology* (New York: Wagner 1929), 1:140-1.

¹² See P. Palazzini, ed., *Dictionary of Moral Theology* (Westminster MD: Newman 1962), 981-83.

- The goal of all law is to promote the common good.
- Canon law falls under the heading of human law.
- The common good the Church intends for canon law is “the worship of God and the supernatural sanctification of men.”
- A specific human law may be just in general, but taken literally in circumstances unforeseen by the lawgiver may in fact contravene either natural justice or what the lawgiver intended.
- In such a case one may apply *equity* – deciding that, because of the harm which would result, the law-giver didn’t intend a particular case to be included under his general law.
- In certain circumstances where harm to the common good would result from a literal application of a law, it is bad to follow the law.
- Applying equity is licit or lawful.
- The salvation of souls is the supreme law.
- When a lower law conflicts with the divine law, the obligation to observe the lower law disappears.
- The application of equity to a law must be controlled by prudence.

II. PRACTICAL APPLICATION

We now turn to apply these principles to the status of traditional Catholics vis-à-vis the Code of Canon Law.

Our Lord wills that we be saved, and He instituted the seven sacraments as the principal means for us to sanctify ourselves and obtain salvation. In virtue of the *divine* law, therefore, Catholics have a *right* to the sacraments.

The human law of the Church (canon law) protects that fundamental right, and at the same time places certain restrictions on *how* it can be exercised. (To confer sacraments *legally* in a diocese, for instance, the Code requires that a priest obtain faculties from the bishop.) The legislator promulgated all these restrictions, and indeed the whole Code, on the assumption that a normal situation obtained through-

out the Church.

The situation for Catholics since the Second Vatican Council can hardly be termed normal. By Vatican decree, a new Mass, protestantized and stripped of sacredness, has been introduced into our parish churches, together with the officially-sanctioned and utterly sacrilegious practice of Communion in the hand. Bishops and pastors – the men who under the Code would have possessed the power to grant other priests faculties to confer sacraments – tacitly condone or explicitly promote doctrines which contradict the Catholic faith.

If in the face of this disaster you insist that equity does not apply and that *all* the Code's provisions on sacramental faculties still bind, you arrive at one of two practical alternatives:

- A. Traditional Catholics must approach the *Novus Ordo* establishment to obtain faculties for sacraments; or
- B. Because traditional Catholics *cannot* obtain the faculties and permissions required by canon law, they must henceforth forego receiving *any* sacraments, apart from baptism conferred in proximate danger of death.

A. Faculties from Modernists

As regards the first alternative, it is hardly reasonable to imagine that we Catholics who have a right by *divine* law to Catholic sacraments and Catholic teaching would have an obligation by *canon* law to request permission for these things from the very men who took them away in the first place.

The same Code of Canon Law that lays down requirements for granting faculties also protects Catholics from these wolves in sheep's clothing. Church officials who have manifestly defected from the Catholic faith lose not only all jurisdiction in the Catholic Church (c. 188.4), but even their

membership in it.

These points have been amply discussed in other articles and need not detain us here. Another old adage, however, is to the point: *Nemo dat quod non habet* – No one gives what he himself does not possess.

B. No Sacraments at All

The self-appointed lay canonists, on the other hand, propose the general principle that to confer sacraments without the requisite conditions and faculties foreseen by the Code is “illicit” and always impermissible. But he who applies this principle with *complete* consistency ends up with no sacraments at all.

The lay writers do not realize this, of course, because they don’t know enough about the particulars of the canons dealing with the sacraments. They believe that Baptism, and (maybe) Matrimony would somehow still be “licit” under their interpretation of the Code. They’re wrong.

Take Baptism, for instance. To administer it *validly* (i.e., so that it “works”), all you need is someone to pour the water and recite the essential form. But if you insist on meeting each and every *legal* requirement of the Code for a sacrament, here is what confronts you:

- Canon 755.1 prescribes that, except in danger of death, baptism must always be conferred *solemnly* (i.e., with the anointings and other prescribed rites).
- The Code reserves the right to perform solemn baptism to the *canonical pastor*, his delegate or the Ordinary (c. 738.1), although in case of necessity, the Ordinary’s permission may be presumed.
- The priest, in any case, must use *solemnly blessed baptismal water* (containing the oils blessed on Holy Thursday by the Ordinary) for a solemn baptism (c. 757.1).

- It is “permitted” to confer private baptism (i.e., using just the water and the essential form), but *only in danger of death* (c. 759.1).
- Except in the case of adult converts being baptized conditionally, the Ordinary is *forbidden* to permit private baptism outside of danger of death (c. 759.2).

Now in terms of the foregoing, let us apply the principle the lay “experts” want us to follow in our current situation (“nothing illicit!”), and watch the sacrament of Baptism disappear:

- It is illicit to confer a solemn baptism, since there is no canonical pastor to confer it, and no Ordinary whose permission an itinerant priest could presume – even assuming a priest could be found who was not suspended from performing sacred rites by some other provision of the Code.
- Baptismal water would be illicit unless it had been previously consecrated using holy oils – which themselves could not be obtained, since there would be no Ordinary capable of blessing them licitly.
- One could baptize someone *privately*, of course – but *that* would be illicit too, unless the person were in danger of death.

Insist on the literal application of each and every article in the Code, therefore, and your children will go through life without Baptism. And don’t even *think* about giving them scapulars or rosaries and hoping for the best – because according to the letter of the law, only a priest with special faculties from the Ordinary could bless these items licitly. All you can do is pray that when your children are old and ready to die, someone will remember to baptize them – but only if it can be done “licitly,” of course, according to your strict interpretation of Canon 759.

C. Equity and Prudence

Applying equity permits Catholics to avoid the positive evils and pharisaical absurdities of the two positions outlined above, one of which would compel us to deal with modernists, the other of which would logically force us to do without the sacraments. In exceptional cases, say the moralists McHugh and Callan, “legalism insists on blind obedience to the law books, but the higher justice of *epikeia* or equity calls for obedience to the lawgiver himself as intending the common welfare and fair treatment of the rights of each person.”¹³

As we’ve seen above, the common good the Church intends for canon law is “the worship of God and the supernatural sanctification of men.” The sacraments are the principal means the Church possesses for achieving this end. It is therefore entirely proper to apply equity to those provisions of the Code which, if applied to our own extraordinary circumstances, would frustrate the lawgiver’s intent by actually *preventing* Catholics from receiving the sacraments when they have a right to them.

This does not mean that all the provisions of the Code are negotiable. Equity, canonists and moral theologians emphasize, must be controlled by *prudence* and a *proper* sense of exception. It enables us to do the essentials, but also prevents us from making up our own rules as we go along. Here are some examples.

- **Baptism.** A proper application of equity allows a traditional priest to confer solemn baptism, even though delegation would ordinarily be required. Equity would dictate, however, that he observe the other rules on baptism the Code lays down concerning matters such as record-keeping, godparents and rubrical requirements.

¹³ McHugh & Callan, 1:411.

- **Penance.** Equity (in addition to other, more specific provisions in the Code¹⁴) permits a traditional priest to grant absolution to a penitent, even though under normal circumstances faculties from the Ordinary would be required for validity. The priest could do so under the heading of supplied (rather than ordinary) jurisdiction, in view of the canonist Cappello's principle that "the Church, by reason of her very purpose, must always take into account the salvation of souls, and therefore is bound to provide everything which depends on her power."¹⁵ Other provisions of the Code (regarding the seal, the proper place, etc.) must continue to be observed.
- **The Mass.** Equity permits opening a public chapel where Catholics can have access to the Mass, even though the law requires the Ordinary's permission. A correct understanding of equity would insist that the Code's requirements on the physical objects needed for celebrating Mass still be followed.
- **Holy Orders.** Catholics need sacraments to save their souls, and priests provide the sacraments. Equity therefore allows a traditional Catholic bishop to ordain priests without dimissorial letters (canonical permission from an Ordinary), and to consider the technical suspension which would otherwise result to be null and void. On the other hand, it would be grossly imprudent and utterly contrary to equity for a bishop to ordain someone who had not received the lengthy scholastic and spiritual formation the Code of Canon Law lays down.

¹⁴ E.g., Canon 209 (supplied jurisdiction in cases of common error, or positive and probable doubts of law or fact).

¹⁵ F. Cappello, *Tract. de Sacramentis* (Rome: Marietti 1944), 2:349.

Equity, then, is not license. It keeps one eye on the common good canon law intends – “the worship of God and the supernatural sanctification of men” – and the other eye on the particulars of individual laws fashioned by the wisdom of the Church. Equity seeks prudently to follow as much of canon law as possible, while still ensuring the *purpose* of the law is fulfilled.

* * * * *

“Search the Scriptures; the same are they that give testimony of me.” Search the scriptures not to look for “proof-texts,” to be sure, but to seek the Savior. A clear picture of Our Lord emerges, full of mercy and common sense, and burning with zeal for the good of souls.

How odd that some Catholics should so distort Christ – or His Mystical Body – as to make of Him a Pharisee, “binding heavy burdens and laying them on men’s shoulders.” But no, this is the Savior who healed on the Sabbath, spoke to the Samaritan woman, and permitted His disciples to glean wheat on the day of rest, “for the Sabbath is for man, and not man for the Sabbath.”

Just as a study of Scripture will show the true and adorable face of Christ, so too will a study of the law of the Catholic Church that is faithful to authentic commentaries and sources. The same reasonable, wise, and merciful living Christ emerges from either text.

Equity – fairness in the application of law – enables the Catholic never to lose sight of Our Lord, surrendering neither to the legalists of the left nor the Pharisees of the right. Our Lord is Jesus Christ, the same “yesterday, and today, and the same forever” – in the pages of Scripture or the letter of the law, on the lips of the priest or on your tongue in Holy Communion, the “fairest of the children of men.” (St. Cyril of Alexandria.)

HOME ALONE?

Rev. Anthony Cekada

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In the foregoing article, *Canon Law and Common Sense*, I mentioned a certain type of person one occasionally encounters in the traditionalist movement: the layman who treats canon law like a handy source for “proof-texts” which he can use to dismiss everyone else as non-Catholic. The practical advice he gives is always the same: All traditional chapels and priests are illicit and therefore evil; stay home this Sunday to worship in the room of your choice. Your religious life thus ends up something like a perpetual re-run of *Home Alone*, minus a happy ending.

Recently, devotees of this position have also been claiming that their condemnations are based on Catholic doctrine infallibly proclaimed by the Council of Trent. They’re given to photocopying sections of the Council’s Decree on Holy Orders, and underlining the following passages:

The holy Synod teaches, furthermore, - - that those who by their own temerity take these offices upon themselves, are not ministers of the Church, but are to be regarded as “thieves and robbers, who have not entered by the door.”

Can. 7. If anyone says - - that those who have been neither rightly ordained nor sent by ecclesiastical and canonical authority, but come from a different source, are lawful ministers of the word and of the sacraments: let him be anathema.

These passages are usually accompanied by handwritten margin notes, the work of some anonymous home-alone canonist. He argues thus: Traditional priests function without correct canonical permissions. They therefore “take these offices upon themselves,” and are not ministers of the Church, but *thieves and robbers*. (Always double underlined.) They have not been “rightly” ordained in conformity with canon law, nor have they been “sent by ecclesiastical and canonical authority.” Rather, traditional priests “come

from a different source,” and are thus not “lawful ministers of the word and of the sacraments.” If you say otherwise, you *deny Catholic dogma* (double underlined), and are *anathema – outside the Church!* (Double, if not triple, underlined!) You cannot assist at the Masses of these priests and remain a Catholic, so *stay at home!*

When the Church condemned a false doctrinal proposition, she attached to it a censure which precisely expressed the degree of the error: e.g., “heretical,” “favoring heresy,” “rash,” “offensive to pious ears,” etc. For the foregoing argument, however, the Church would need to create a new category – one entitled “*really* stupid.” A little harsh, Father? Well, consider:

- 1) Our home-alone canonist thinks Trent was condemning one thing, when in fact it was condemning another.
- 2) He’s based his argument on a defective translation, but doesn’t realize this since he’s ignorant of Latin.

1. Trent Condemns Lay Ordination. The purpose of Trent’s decree on Holy Orders was to restate Catholic doctrine on the sacrament, and to condemn a whole passel of protestant heresies regarding it – e.g., that Holy Orders is not a sacrament but a human invention, that the Minor Orders do not exist, that all Christians alike are priests, that there is no hierarchy of Orders, etc.

Among the protestant heresies the Council condemned was one which asserted that the assent of the people or of the civil magistrate is all you need to make someone a minister of the word and the sacraments. This heresy denies the sacramental character of Holy Orders. It reduces the priesthood to a political office devoid of any objective sacramental power.

The home-aloner happened across the decree’s language condemning the lay ordination heresy and misread it as a condemnation of priests ordained without dimissorial letters from a diocesan bishop, or some other such thing. He might

have discovered this error, had he read the first part of the sentence (set below in **bold**), instead of merely the phrase he underlined at the end:

The holy Synod teaches, furthermore, **that in the ordination of bishops, priests, and of other orders, the consent, or call, or authority of the people, or of any secular power or magistrate is not so required for the validity of the ordination; but rather it decrees that those who are called and instituted *only* by the people** [original emphasis in 1954 translation], **or by the civil power or magistrate and proceed to exercise these offices, and** that those who by their own temerity take these offices upon themselves, are not ministers of the Church, but are to be regarded as “thieves and robbers, who have not entered by the door.” (Dz 960)

From the first part of the sentence, it is absolutely clear who it is that the Council is denouncing as “thieves and robbers”: those who receive only a sort of lay ordination from the people or state (rather than true sacramental ordination from a bishop), and who then perform sacramental and ministerial functions proper to an ordained priest alone.

The home-aloner also cites Canon 7 which follows the doctrinal decree on Holy Orders. The canon, he says, condemns in an infallible manner those who operate without “officially-delegated authority.”

This too is utterly false. The passage in Canon 7 corresponds to the passage in the doctrinal decree, and (like the decree) says nothing whatsoever about “officially-delegated authority.” It merely condemns more solemnly what the doctrinal decree condemns: the protestant position that a sort of “lay ordination” suffices to confer sacraments.

2. A Faulty Translation. Home-aloners point to two phrases from the canon, noted below in **bold**, which they believe condemn clerics who haven’t received the various permissions canon law requires before ordination:

If anyone says - - that those who have been neither **rightly or-**

daigned nor sent **by ecclesiastical and canonical authority**, but come from a different source, are lawful ministers of the word and of the sacraments: let him be anathema.

Here, what began as tragedy ends as farce. The translation the home-aloners used for the phrases in bold turns out to be defective. The home-aloners, ignorant of Latin, based their entire argument on these mistranslated phrases. Here is the Latin text of Canon 7 and a correct translation.



Si quis dixerit - - ordines ab ipsis [episcopis] collatos sine populi vel potestatis sæcularis consensu aut vocatione irritos esse; aut eos, qui nec ab ecclesiastica et canonica potestate rite ordinati nec missi sunt, sed aliunde veniunt, legitimos esse verbi et sacramentorum ministros: A.S. (Dz 967)

If anyone says - - that orders conferred by [bishops] without the consent or call of the people or of the secular power are invalid; or, that those who have been neither **ordained by ecclesiastical and canonical power with the proper ceremonies** nor sent, but come from elsewhere, are lawful ministers of the word and of the sacraments: let him be anathema.

The phrase in **bold** presents quite a different picture. Home-aloners have written reams of polemics against traditional priests, all of it based on the assumption that the phrase “rightly ordained” has something to do with observing the p’s and q’s of canon law on obtaining permissions for performing ordinations. But the Latin expression *rite ordinati*

does not mean something like “rightly ordained canon-law-wise.” *Rite* (pronounced REE-tay), means rather that someone was ordained “*with all the proper liturgical ceremonies*” – and every traditional priest I know most certainly was.¹

Another favorite home-aloner phrase in the canon, “sent by ecclesiastical and canonical authority,” is likewise a mistranslation. For starters, the part of the phrase beginning with “by” has been misplaced in the translation. In Latin it modifies “ordained,” not “sent.”² “Authority,” moreover, is an incorrect translation here for *potestas*, which means “power.” The specific kind of power is the Church’s *sacramental* power, here referred to as “ecclesiastical and canonical power” (*ecclesiastica et canonica potestate*), so as to distinguish it from the purely secular power (*potestatis sæcularis*) deemed sufficient by the protestants to make a sacramental minister, and singled out for condemnation in the preceding phrase of the canon.

Put simply, Canon 7 in Latin doesn’t say what the home-aloners thought it said. Rather, the canon condemns sacramental ministry without true sacramental ordination.

* * * * *

¹ Home-aloners have tried to press into service two other terms to support their condemnations: (1) “*Regularly* ordained.” This, it turns out, the home-aloners lifted out of context from the Profession of Faith prescribed for the Waldensian heretics (Dz 424). The point of the passage was to get the Waldensians to forswear their heresy that someone other than an ordained priest could confect the Eucharist. Here, *regulariter* means merely “ordained in the usual way,” as contrasted with the Waldensians’ “not ordained at all.” (2) The Lateran Council’s denunciation of “*vain ordinations unknown to ecclesiastical rule*” (Dz 274). This is merely part of an excommunication levied against those who would dare ordain Monothelite heretics. The home-aloners’ ignorance of Latin and tendency to lift phrases out of context has done them in here too. *Ordinationes vacuas ecclesiasticæ regulæ incognitas* is the original phrase. An ordination that is *vacua* is not merely “vain”; it’s invalid. A more accurate translation is: “Invalid ordinations unrecognized by ecclesiastical law” – a completely different kettle of canonical fish, obviously, since *validity* rather than *liceity* is the issue. Finally, it’s hard to see how either of the two strictures would apply to traditional priests, since very few of us (I suspect) are Waldensians or Monothelites.

² Traditional priests are “sent” in any case – by the legislator who (as we noted in *Canon Law and Common Sense*) wills above all the salvation of souls, and also in virtue of the text of the ordination rite itself.

The passages from the Council of Trent our home-alone canonist has so eagerly seized upon, therefore, can in no way be applied to traditional Catholic priests. The passages condemn a specific protestant heresy: that the consent of the people or the civil government is sufficient (or necessary) to authorize men as “lawful ministers of the word and of the sacraments.” No traditional Catholic priest teaches that.

Our home-alone canonist has thus managed to get absolutely everything wrong. He’s misread a decree of the Council of Trent, trumped up phony charges against traditional Catholic priests, and issued an anathema on the basis of a faulty translation – enough, surely, to merit the new theological censure of “*really* stupid.”

Errors in dogma, moral theology and canon law are the stock-in-trade of home-alone theorists. To refute their foolishness each time they try to throw yet *more* traditional Catholics out of the Church is, in the final analysis, a waste of time. They just turn the page in their one-volume canon law paraphrases or vernacular mistranslations of Denzinger, and try to invent yet another reason for condemning every-one else.

Where this has led the home-aloners is plain for all to see – to a bitter, sacrament-less exile, a poetic punishment, perhaps, for their pride in having presumed to tackle issues light-years above their own abilities.

The best antidote to such folly is common sense. The Church with her sacramental ministry and visible hierarchy will continue until the end of time,³ and Catholics will go on obeying the Third Commandment, pretty much as their forefathers did. It’s all so simple that a child could figure it out. Try it with an eight-year-old come Mass time next Sunday: even *he* knows you shouldn’t stay home alone.

27 February 1993

³ “Just as [Christ] *sent* the Apostles whom He had chosen for Himself from the world (*as He Himself was sent by the Father*), so too He willed that there be pastors and teachers in the Church *unto the end of time*.” Vatican I, Dz 1821.

Addendum: Home-Aloners Excommunicated?

A few weeks after I circulated *Home Alone?* as a pamphlet, someone sent me the following passage from Pope Pius IV's Bull *Benedictus Deus* (26 January 1564). The Bull, which confirms the decrees of the Council of Trent, imposes a *latæ sententiæ* (automatic) excommunication on anyone who, without the approval of the Holy See, presumes "to publish in any form any commentaries, glosses, annotations, scholia on, or any kind of interpretation whatsoever of the decrees of this council." The reason for this prohibition, the Bull stated, was to avoid the "perversion and confusion" arising from private commentaries on and interpretations of the Tridentine decrees.

This, my correspondent pointed out, is exactly what the home-aloners have done. The peculiar principles they employ for interpreting Trent, he added, would then logically dictate that home-aloners consider themselves excommunicated by the very fact that they have published unauthorized commentaries on the Tridentine decrees.

This, needless to say, puts the home-aloner in a bit of a pickle: on one hand, logic dictates that he consider himself excommunicated; on the other, he denies that anyone still has the authority to lift an excommunication. It will be interesting to see the explanations home-aloners offer to deal with these inconveniences.

Furthermore, to avoid the perversion and confusion which might arise if everyone were allowed to publish, as he saw fit, his commentaries on and interpretations of the decrees of the council, we by Apostolic authority forbid all persons, ecclesiastics, of whatever order, condition or rank they may be, as well as laics, with whatever honor and power invested, prelates, indeed, under penalty of being prohibited entrance into the church, and others, whoever they may be, under penalty of excommunication *latæ sententiæ*, to presume without our authority to publish in any form any commentaries, glosses, annotations, scholia

on, or any kind of interpretation whatsoever of the decrees of this council, or to decide something under whatever name, even under pretext of greater corroboration or better execution of the decrees, or under any other color or pretext. But if anything therein should appear to anyone to have been expressed and defined in an obscure manner and for that reason stands in need of some interpretation or decision, *let him go up to the place which the Lord has chosen*, namely, to the Apostolic See, the mistress of all the faithful, whose authority the holy council also has so reverently acknowledged. **For if difficulties and controversies relative to those decrees shall arise, their explanation and decision we reserve to ourselves, as the holy council itself has also decreed;** being prepared, as that council has justly confided to us, to provide for the necessities of all the provinces as it shall appear to us most suitable; at the same time we declare null and void whatever should be attempted to the contrary in these matters, whether knowingly or unknowingly, by any authority whatsoever.

- From Pope Pius IV's Bull *Benedictus Deus* (26 January 1564)

MOUNT ST. MICHAEL & CMRI:

BRIEF OVERVIEW

Rev. Anthony Cekada
October 1993

From time to time, I am asked about the background of the Mount St. Michael group (or CMRI), a traditional Catholic organization headquartered in Spokane, Washington. The following is a brief summary of what I have already written on the issue.

Origins of the Group

The St. Michael group was founded by Francis Schuckardt, a layman who gained considerable prominence in the 1960's for his eloquence in promoting the Fatima Message. In 1967 Schuckardt and about a half-dozen young supporters of the Fatima Message banded together as the Congregation of Mary Immaculate Queen (CMRI) with the idea of living the religious life as traditional Catholic nuns and brothers. Schuckardt's magnetic personality and reputation in the Fatima movement made him a natural leader for this group. The project at first enjoyed the approval of the Most Rev. Sylvester Treinen, the Catholic Bishop of Boise, Idaho.

Schuckardt, however, was among the first in this country to reject as non-Catholic all the changes in faith and worship introduced in the Church in the wake of the Second Vatican Council (1962-1965). Naturally this led to problems with Bp. Treinen. The priest who had been advising CMRI was replaced with a modernist, and the group began looking elsewhere for clergy to serve them.

A few sympathetic priests were persuaded to help out, among them the Rev. Burton Fraser, a Jesuit from Colorado who refused to say the New Mass. He became the CMRI's spiritual advisor.

CMRI & “Sedevacantism”

In about 1970, Schuckardt and his followers came to the conclusion that Paul VI, by his own acts and words, had forfeited his authority and office and that the Holy See was therefore juridically vacant – they became “sedevacantists,” in other words, years before the term was invented.

In 1971, of course, no Catholic bishop would ordain priests for a religious order which rejected Vatican II, the New Mass and Paul VI.

Schuckardt’s Consecration

At this point in the story we encounter one Daniel Q. Brown. Brown, a Catholic layman who had rejected the Vatican II changes nearly from the start, had gotten himself ordained a priest and consecrated a bishop by an “Old Catholic” prelate.¹ Brown’s conclusions on the post-Vatican II Church turned out to be identical to Schuckardt’s. He, too, believed the Holy See was vacant.

Fr. Fraser believed that the situation in the Church was extreme and that there were no Catholic bishops to whom one could go for the traditional sacraments.² Fr. Fraser concluded that the moral principle of *epikeia* – in the face of unforeseen circumstances, favorably interpreting the mind of the Church as law-giver in such a way as to permit an action which the law would forbid under normal circumstances – could be invoked to allow one to receive Holy Orders from Brown. His conclusions were deemed sufficient by members of the group to warrant the actions which would follow.

Brown repented of his schismatic acts, renounced his ties with the Old Catholics, made a public abjuration, went to

¹ “Old Catholic” is a generic term for a number of schismatic sects originating in the 17th and 19th centuries. The Catholic Church regarded ordinations conferred in European Old Catholic groups as valid; the issue of the validity of ordinations by American Old Catholics, however, is not nearly so clear.

² This transpired in 1970, when Archbishop Lefebvre was a virtual unknown attempting to secure Paul VI’s blessing for his newly-founded Society of St. Pius X.

confession, and received absolution from a traditional priest. In October and November 1971, Francis Schuckardt was ordained a priest and consecrated a bishop by Brown. CMRI would later move its center of operations from Idaho to a former Jesuit seminary, Mount St. Michael, in Spokane, Washington.

Preserving the Faith

Schuckardt's emphasis on Marian piety and the traditional Latin Mass drew to the movement over the years thousands of laymen dissatisfied with the modernism of the Conciliar Church. Many young people, as well, joined the two religious orders Schuckardt had established. Schuckardt organized dozens of Fatima groups throughout the country for traditional Catholics who supported his cause.

Here we must give credit where credit is due. On the central issues – the New Mass, for instance, and the defection *en masse* of the hierarchy from Catholic teaching – the members of the St. Michael's group were right. They also preserved intact all those traditions and practices which are now a part of the religious and devotional life of every traditional Catholic chapel in the world. This they did, please note, at a time when most of us – even the group's most vocal opponents – were still going to the *Novus Ordo*, defending Paul VI, and urging "conservative" interpretations of the disastrous Vatican II changes.

Detour into Isolation

At the same time, however, Catholics who turned to Schuckardt in their quest to preserve their faith also unwittingly became entangled in something which started to show all the signs of a classic personality cult. Schuckardt's word was law, and he introduced many devotional and penitential practices which were bizarre and extreme. To isolate followers, the reading of literature produced by other traditional Catholic groups was forbidden, even to priests. Many were

left completely in the dark about the actual source of Schuckardt's episcopal consecration.³ All traditional clergy outside Schuckardt's orbit were depicted as having compromised with the Conciliar Church; the laity, naturally, were forbidden to approach outside priests for the sacraments. Followers were also sometimes subjected to disorienting techniques associated with cults and mind-control.

Most people, of course, have no idea of how a Catholic bishop of the old school would really conduct himself. Since Schuckardt's followers had no standard for comparison, it is manifestly unjust to reproach them for mistaking his methods for the spirit of the Church.

Not surprisingly, Schuckardt ordained only six priests – a large body of clergy could have constituted a threat to his position. Nevertheless, some of them eventually began to have second thoughts. Schuckardt sent two clerics to a nearby college to take a course on cults – he hoped they would gather enough information to refute the press's charge that the St. Michael's group was a cult. The opposite occurred. Both came away convinced that Schuckardt was in the process of turning the operation into a full-fledged cult.

Soon after his consecration by Brown, Schuckardt turned himself into a remote and mysterious figure, isolated from the day-to-day life of the religious communities he founded. He generally issued his orders and directions in writing or by phone, rather than in person. Other than giving an annual retreat, Schuckardt left the spiritual formation of the nuns and brothers to others. While he kept quarters at Mount St. Michael, he would normally visit there only on major feast days. From the beginning, he lived in houses apart from the religious community itself.

Schuckardt's Departure

Despite this, in the early 1980s some of the priests, brothers

³ Lay people involved for many years with St. Michael's have told me that the first time they heard of "Old Catholics" was when they read my 1990 pamphlet, "A Question of Authority" (pp. 178-186).

and nuns in the community began to conclude that his behavior was becoming increasingly strange and erratic.

In 1984 a series of stories in the secular press accused Schuckardt of drug abuse and gross personal immorality,⁴ charges which shocked the Mount St. Michael community. In June 1984 three priests confronted him with the accusations. After delays in addressing the issue, Schuckardt fled with a small number of religious and lay people.

Recovery & Reorganization

In autumn of 1984 the priests sought out a bishop to ordain for the CMRI. Archbishop Lefebvre and the Society of St. Pius X were out of the question, particularly since the Archbishop at that time was seeking to work out a compromise with the Conciliar Church. They settled on Bishop George J. Musey, one of the line of traditional Catholic bishops who trace their consecrations back to Archbishop Peter Martin Ngô-dinh-Thuc, former Archbishop of Hué, Vietnam.⁵

On 23 April 1985 before Bp. Musey, the remaining three priests formally and publicly took the Abjuration of Error and Profession of Faith *ad cautelam* – in case through their previous actions they had incurred any ecclesiastical censures. Bp. Musey then re-ordained them conditionally. (This was a prudent step. While the Church before Vatican II usually regarded ordinations stemming from Old Catholic bodies as valid, she also looked at each particular case.)

The priests announced their intention to turn the group into a normal traditional Catholic organization. They adopted a standard set of rules and constitutions for a religious order – Schuckardt had run the organization by personal *fiat* – and instituted checks and balances to avoid a rerun of past abuses. Fr. Denis Chicoine was elected Superior General, and was succeeded in August 1989 by Fr. Tarciscius Pivaru-

⁴ The case was highly publicized at the time. There is no point in repeating all the details.

⁵ For information on Abp. Thuc, see my study "The Validity of the Thuc Consecrations" (pp. 227-259).

nas. Across the board, the Fathers systematically uprooted the cult-like practices Schuckardt introduced.

Some Objections

Despite the normalization program the CMRI leadership put into effect, a handful of traditional Catholics in the U.S. have continued to denounce it as non-Catholic or “schismatic.” The following should be noted:

First, it is unjust to continue to condemn CMRI for past deviations which have been acknowledged, rectified and atoned for. Schuckardt departed more than a decade ago, the group’s leaders took an abjuration, and much additional information has come to light. One should have the good grace to acknowledge these facts and their consequences. To do otherwise is both intellectually dishonest and morally wrong.

Second (and more to the point), the law of the Catholic Church simply does not support the accusation that CMRI is (or was) “schismatic.” Despite repeated challenges to do so, CMRI’s critics have been utterly unable to demonstrate that either the group or its individual members come, or indeed ever came, under the Code of Canon Law’s definition of schismatic.⁶ In the final analysis, the accusation is nothing more than an epithet hurled by those who are either ignorant of the law, or choose to be so.

Recent Developments

In February 1991, Bishop Moises Carmona, a traditional bishop from Acapulco who had been consecrated by Abp. Thuc ten years earlier, asked the CMRI Fathers to choose one of their number for episcopal consecration. Bp. Carmona, then in his eighties, wanted a younger successor to care for the numerous traditional clergy and Mass centers he was serving in Mexico.

⁶ I have written several articles on the canonical issue.

On 3 April 1991, the Fathers elected Fr. Pivarunas as their candidate. Following standard Church practice, he re-assumed his baptismal name, Mark Anthony, and in accordance with the CMRI Constitutions, resigned his post as Superior General.

Bp. Pivarunas was consecrated by Bp. Carmona during a public ceremony held at Mount St. Michael in September 1991. He resides in Omaha, Nebraska, where he serves as Pastor of Mary Immaculate Church, and Rector of Mater Dei Seminary. In his capacity as a bishop, he also travels extensively in the U.S. and Mexico in order to confirm and ordain for various sedevacantist groups.

As of this writing, the CMRI has 12 priests, a number of brothers and seminarians, and about 50 sisters. They operate traditional chapels throughout the United States, and in Mexico, Canada and New Zealand. Several thousand lay people assist at the traditional Mass at these chapels.

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Traditional Catholics inclined to condemn CMRI for its past ought to remember that no traditional Catholic organization – indeed, no human organization – is impeccable, unsullied by misdeeds or immune to occasional scandals. The histories of SSPX, SSPV, ORCM, TCA, TCM or any organization in the traditionalist alphabet soup would turn soap opera writers into millionaires.

Let us keep this in mind as we seek to preserve the truth of the faith – which will profit us nothing without charity.

(Pamphlet, October 1993)

WHY DO GOOD PRIESTS LEAVE BAD IMPRESSIONS?

Rev. Anthony Cekada
Sacerdotium 11, Spring 1994

What kind of impression do we traditional priests allow people to get when they come to one of our Mass centers for the first time? Do these newcomers feel they've been encouraged to return? To help answer the question, let's construct a little scenario.

Imagine that you're a young Catholic layman with a wife and two small children. You're upset with the goings-on over at the local parish, St. Teilhard's. Almost everything there contradicts what you know is Catholic teaching. Liturgical practices run from the fuzzy and the bland to the wild and zoo-like. You've had enough.

You see an ad for the traditional Latin Mass. The bishop of the diocese has denounced the traditional Mass folks as renegades and non-Catholics. But (you figure) the bishop wouldn't know a *real* Catholic if one bit him on the nose.

You get up early on Sunday – the Mass center is half an hour away – pack your somewhat skeptical wife, your antsy six-year old and your rambunctious toddler into the car and head off.

You wander into the chapel and take a seat at the back. A dour-looking gentleman appears with a little lace doily, thrusts it at your wife, and says "Here!"

Mass was scheduled for 9:00 AM. It starts fifteen minutes late. Father, it seems, was finishing up confessions.

Mass begins. You're impressed with the quiet reverence of the rite, but can't figure out what's going on.

Father goes to the pulpit. A whole series of announcements follow. Father reads a lengthy and hard-to-follow statement about who is forbidden to receive Communion – something about doubtful baptism, invalid marriages and the *Novus Ordo* (whatever *that* is).

He then gives a sermon castigating "liberal parents" for

not sending their children to his school, and reads out everyone generally for not giving enough financial support to his school. What a sermon!

At least you *thought* it was the sermon. The Epistle and Gospel then follow in English. After this Father launches into a 25-minute denunciation of the *Novus Ordo* (There's that weird phrase again!) and the pope (I thought he was a *good* guy!), replete with pulpit-pounding and dire threats that anyone associated with either will probably go straight to hell.

Father stops dead halfway through all this and casts a withering stare in your direction. Your restless toddler, it seems, has been making noise. Your wife shamefacedly hushes the child.

At long last, Father winds up his 45 minutes of pulpit time and returns to the altar. You're impressed with the way the Mass proceeds – until Communion time, that is.

You receive Communion, but Father stops at your wife. "You're improperly dressed," he snaps, "and I'm not giving you Communion."

This mystifies you. She's wearing baggy slacks and a high-necked, sleeveless blouse – compared to the way the women dress over at St. Teilhard's, your wife is dressed like Queen Victoria.

She slinks away from the communion rail.

When Father finally leaves the altar it's 10:40 AM – one hour and forty minutes after Mass was scheduled to begin. (Later you learn that this was only *Low* Mass – and wonder how long the ominously-named *High* Mass would take.)

You head out in hopes of catching the priest to ask him a few questions. Too bad, the usher says, Father is already off to say Mass somewhere else.

You look for something to explain what went on. In the pamphlet rack, all you find are a couple of old novena books.

Most of the people ignore you – but not everyone. One lady latches on to you. After some brief preliminaries she warns you that the priest is really a monster. She is joined by another woman who tries to be *very* helpful about explain-

ning the situation in the Church after Vatican II. Something about flying saucers, and how the pope is really a robot controlled by a computer in Brussels named "666." She learned this, she confides, when she was held captive by David Rockefeller in the dungeon of the Chase Manhattan Bank.

"Speaking of which," you say with a wan smile as you and your wife edge sideways towards the door, "Time for us to 'chase' off to breakfast."

* * * * *

It would be nice to tell you that I've invented the foregoing horrors merely to make a point. Alas, I've either perpetrated them myself at various points in my priestly life, or allowed them to go on at Mass centers I've served – though mercifully (I hope!) not all on the same day.

We priests who say the traditional Mass often conduct our ministry without giving too much thought to the "unconverted" – lay Catholics who are profoundly dissatisfied with the new religion, but who are still trying to figure out what to do in the practical order. These souls may hear about a traditional Mass in their area and decide to check it out. They probably know that the Conciliar establishment considers us renegades. It's a big step for them to walk in the door of a traditional chapel on a Sunday morning. When they do, it may be our only chance to convince them. If these newcomers receive a bad impression the first time around (that we are insular, weird, a clique, etc.), the chances are, short of an extraordinary miracle of divine grace, that we will never see them again. How might we improve this first impression?

As a first step, traditional priests ought to look at what goes on in their chapels from the perspective of someone who is coming to the traditional Mass for the first time.

In our scenario, is it likely that the hapless father of two would return? Hardly. While he started out well-disposed toward the traditional Catholic faith and has made what he considered a considerable sacrifice to investigate matters,

just about everything he encountered militates against him proceeding further. The lay people he encounters are rude or weird. He's received no information about what's going on. Odd rules with unfamiliar terms are announced. The operation seems poorly organized. The announcements and sermon are windy tirades. The priest humiliates the man's wife and children. And the whole thing goes on forever. Everything, in short, is like a giant arrow pointing the poor layman and his family back to St. Teilhard's.

These specific difficulties represent failures in communication, good manners, common sense and charity. The priest in charge of a Mass center neglects to provide a potential "convert" with proper information, or allows him to be treated like a leper when he shows up.

Here are some practical suggestions to avoid this problem.

1. Instruct your ushers on how to be polite and considerate to new people.

The first traditional Catholic the newcomer will encounter may be an usher. Make sure the usher knows he's supposed to be helpful, polite and diplomatic to newcomers. He's not supposed to stand around doing nothing, like a cigar-store Indian. Nor on the other hand should he act like the East German *Grenzschutz* patrolling the Death Strip.

When newcomers arrive, the usher should give them booklets with the Ordinary of the Mass, and give ladies chapel veils. He should conduct newcomers to places where they won't feel too conspicuous. (Imagine coming to the traditional Mass for the first time and winding up in the first pew at High Mass. Even some people who've been with us for years can't figure out when to stand, sit and kneel.)

If a lady arrives dressed improperly, the usher should know how to deal with the situation diplomatically. For borderline cases, you may want to have the usher discreetly lead newcomers to the choir loft or cry room.

After Mass, the usher should keep an eye out for new people and direct them to the social area.

2. Start Sunday Mass on time.

One feature of normal parish life is that the priest emerges from the sacristy on time. A Mass *scheduled* for 8:45 AM should *begin* at 8:45 AM. Some parishes before Vatican II even had mechanical sacristy chimes which sounded automatically when services were to begin.

While circumstances beyond your control may occasionally force you to begin Mass a bit late (a delayed flight, missing altar boys, etc.), don't make it a habit. Starting Sunday Mass at the appointed hour is an act of consideration toward those laymen who arrived on time, and is a good example to those inclined to be late. An egregiously late start will leave the newcomer with the impression that you are disorganized.

3. Avoid protracted pulpit announcements.

These needlessly stretch out the length of Sunday Mass. Announcements are not supposed to be mini-sermons, so limit yourself to a few brief comments on one or two events of particular importance, and then refer people to your bulletin. If nothing truly significant is going on during the coming week, don't bother to make announcements, other than the one directed toward newcomers. (See below.)

4. Provide first-time visitors with a pamphlet containing Communion and dress code rules.

Rather than reading a complex set of Communion and dress code rules at announcement time, prepare a simple and politely-worded pamphlet containing all the requisite information. Have copies in the pews, and ask newcomers to read it.

5. If you occasionally do parish mailings, have visitor cards in the pews.

Some first-timers may not be willing to register as members

right away, but would like more information. Consider providing a visitor card where they can give you their name and address without actually joining the church. Put one box on the card for them to check if they'd like more information, and another if they'd like an appointment to visit with the priest. Put them on your church mailing list so they can be kept apprised of various church activities. If they don't come back right away, a parish mailing at a later date may get them thinking.

6. Give a free information packet to newcomers.

This should include a short and simple pamphlet on the differences between the traditional Mass and the New Mass, and (if possible) another pamphlet on the effects of Vatican II. Other items could be added: a guide for using the Missal, a booklet with the Ordinary of the Mass, a pamphlet on how to say the Rosary, an inexpensive rosary, an examination of conscience form, holy cards, and various devotional pamphlets.

7. Stock a selection of good Catholic reading material.

Ideally, every traditional chapel, even a small one, should have a book and religious goods table of some sort. A selection of standard books on the spiritual life, Church history and Catholic doctrine should be kept in stock, as well as vernacular missals, devotional manuals and religious items. Longer works on the post-Vatican II crisis and the New Mass, and various traditional Catholic periodicals should be prominently displayed so that a newcomer can educate himself on the issues.

Don't forget to check the table periodically to insure that someone hasn't put out objectionable literature potential converts would find bizarre. (The flying saucer lady may have written a pamphlet on her visit to the Chase Manhattan.)

8. Every Sunday make at standard announcement welcoming new people.

This idea may sound a bit corny. But remember that the traditional Mass is a completely different world from what the newcomer normally experiences on a Sunday. You should try to make him feel a bit at home.

My standard announcement runs something like this:

"If you're new at St. _____'s, we welcome you to the traditional Latin Mass.

In the pews you'll find a pamphlet explaining our communion rules. Please take the time to read them over before you receive Holy Communion.

Also in the pews is a Visitor's Card. You may want to use this to give us your name and address so we can put you on our mailing list. We send out a letter periodically to apprise people of our church activities. There are also boxes you can check if you'd like to receive further information, or if you'd like an appointment to speak with a priest.

If, however, you'd like to register as a member of St. _____'s, there are special cards available for that purpose in the vestibule.

Also available free of charge to newcomers is a little information packet which explains the differences between the traditional Latin Mass celebrated here at St. _____'s and the New Mass celebrated in your parishes. Please pick one up in the vestibule or at the book table.

We have a fine selection of Catholic literature available at our book table.

Coffee, doughnuts and snacks are also available in the church social hall downstairs after all Masses. We invite you to stop by.

If you have any questions, please don't hesitate to speak with me after Mass."

It may seem like a lot, but once you've got it down, you can make the announcement rather quickly.

9. When preparing a sermon, remember that there may be newcomers in the congregation.

The easiest types of sermons to give are doom-and-gloom harangues, foaming-at-the-mouth anti-*Novus Ordo* diatribes, or tirades against other traditional groups. Preaching this way requires little or no preparation, since about all you need do is lock on the target *du jour* and rave till you run out of steam.

Some traditional priests have been feeding their congregations a steady diet of this thin and bitter gruel every week for years. This disedifies newcomers and cheats the old-timers. Far better to present a good mix of topics: the lives of the saints, exposition of Catholic doctrines, ascetical practices, the sacraments, liturgical texts, etc. These are subjects people in the *Novus Ordo* hear precious little about.

When you decide to preach a sermon pointing out (as you should) some evil of the new religion, be particularly careful in your preparation. Get your facts straight (obviously), and try to make an argument which will strike people as *objective*. This will be far more convincing to the “unconverted” or skeptical among your hearers than a string of buzzwords and bromides indignantly shouted with quaking voice.

10. Keep your sermons short.

Good, effective writing, all the style manuals say, is ninety percent editing. Over the course of two millennia, several thousand books have been written on any standard sermon topic you choose. Don't weary the people by trying to give it all to them in an interminable sermon. Unless you're another Lacordaire or a Fulton Sheen, twelve to fifteen minutes should be long enough on an average Sunday.

Choose two or three clearly-formulated points, tell a story, give the people something specific about each point, sum up, and quit. “Be bright, be brief, and be gone,” my old rhetoric professor used to say. “And if God hasn't given you the gift of being bright, at least be brief and be gone.” If you're a

windbag, you will irritate newcomers and put your regulars to sleep.

11. Don't single out someone for public correction unless his conduct is not only improper, but also obstinate.

The wailing baby during the sermon is the classic case. Usually parents are considerate and will remove the child. Sometimes, though, this won't dawn on them right away – after all, Mom and Dad are *used* to the crying. A new couple, moreover, may be the ones whose child has the lung capacity of the Hindenburg. If you get angry, you may lose them.

Parents may get the hint if Father pauses in his sermon and, with a confused look on his face, eyes his sermon notes as if he's lost his place. If you proceed and the problem still continues, try to find a diplomatic way to phrase the second hint.

If the ushers have done their job and if new people have a pamphlet containing the rules for receiving Holy Communion, you'll have few problems at the communion rail. The occasional woman who shows up for the first time in slacks, but is dressed modestly otherwise, should probably not be turned away. She hardly seems to qualify as one of the *indignî* to whom the sacraments must always be refused; chances are, she is not of bad will, and just wasn't paying attention.

Some traditional priests like to conduct lengthy interrogations at the communion rail. I've never seen this recommended in any moral theology book, and I never remember a priest doing it at even one of the countless Masses I served before Vatican II. If this sort of thing is your cup of tea, it may be better to have the ushers interrogate people as they're coming in *before* Mass.

12. Have coffee and snacks available after Sunday Masses.

Few of our parishioners live near our Mass centers. They

appreciate something to eat and drink before they begin their trip home, especially if they have a platoon of hungry children in tow. In most places, moreover, the only occasion our people have to socialize with fellow traditional Catholics is after Sunday Mass. If you have coffee and snacks available, you'll be able to build up some parish spirit and offer newcomers an opportunity to meet other Catholics.

13. Assign some well-spoken parishioners to seek out newcomers.

In every traditional chapel, you can always find people who are not only knowledgeable and highly articulate about the traditional movement, but also very outgoing and sociable. Ask them to look for new people after Mass, make them feel at home, and discuss things with them. This prevents the parish troublemaker or the local seer and mystic from pouncing on the hapless newcomer.

Assigning someone to the task of explaining things to new people will also allow you some time after Mass to make a short thanksgiving and then go immediately to the social area so you can...

14. Make a point of speaking personally after Mass to any newcomers.

This initial contact with the priest may make all the difference between a newcomer returning to the traditional Mass or staying away. If you, the priest, engage newcomers in conversation, they can ask questions. In a few minutes after Sunday Mass, you can put some of their fears to rest, and explain in a simple way what traditional Catholics are doing and why it's right. Make a point of inviting newcomers to phone you or come in for a chat if they should have further questions.

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The foregoing list is not exhaustive by any means. Some suggestions may belabor the obvious, and not all of them may be feasible or even useful in every traditional chapel. They are, in any event, the product of much trial and error over the years.

We traditional priests sometimes feel we can win converts solely by appealing to intellects. But when people first come to the traditional Mass, they may not be ready for cold logic right away – *Non in dialectica complacuit Deo salvum facere populum suum* (“It did not please God to save his people by means of logic”), St. Ambrose reminds us. If, when newcomers arrive for the first time, we treat them with consideration, good manners, common sense and charity, we stand an excellent chance of seeing them again.

BISHOP MENDEZ, SSPV AND HYPOCRISY

Rev. Anthony Cekada
1995, updated 2001/2018

Introduction



Alfred Méndez (1907-1995), Bishop
of Arecibo, Puerto Rico, in 1960-1974

In early 1995 the Society of St. Pius V (SSPV) announced that the Rev. Clarence Kelly had been secretly consecrated a bishop on October 19, 1993 by the retired Bishop of Arecibo, Puerto Rico, the Most Rev. Alfred F. Mendez CSC, who had just died on January 28, 1995.

Up to this point, traditional Catholics in the U.S. had heard *nothing* from Fr. Kelly and Fr. William Jenkins about Bp. Mendez – but an awful lot from them about Archbishop P-M. Ngo-dinh-Thuc, the retired Archbishop of Hué,

Vietnam.

By 1995 Frs. Kelly and Jenkins had conducted a lengthy campaign impugning the validity of the episcopal consecrations Abp. Thuc had conferred on two traditionalist priests (Guérard des Lauriers and Moises Carmona) in 1981. Frs. Kelly and Jenkins portrayed Abp Thuc as a crazy and erratic old geezer with unsavory connections, who for those reasons – lay readers were meant to conclude – could not be trusted to confer episcopal consecration validly.

Fr. Kelly's own consecration by the aged Bp. Mendez, however, cast an entirely different light on his anti-Thuc ti-

rades. Bp. Mendez, it soon emerged, had engaged in a lot of fairly erratic conduct of his *own*, some of it extremely disedifying. In conferring an ordination for SSPV in 1990, moreover, Bp. Mendez had actually mispronounced the essential sacramental form in such a way that the validity of the ordination was doubtful.

Below you will find a list of facts, notes and questions about Bp. Mendez, most of which I circulated in this form in the early 1990s. The picture of Bp. Mendez that emerges is that of a worldly prelate with some strange ideas, not very devoted to the traditional cause, who behaved very bizarrely more than a *year* before he consecrated Bp. Kelly and whose mental competence was challenged by his own sister just **eight days** before the consecration.

My purpose in raising these points is not to denigrate an old bishop, but to demonstrate that Bp. Kelly and Fr. Jenkins' repeated condemnations of Abp. Thuc's actions are a case of what is these days politely called "cognitive dissonance," and in a more forthright era, was referred to as "hypocrisy."

This should set off alarm bells for the younger clergy and laity in the SSPV orbit who have been indoctrinated into the "Thuc Bad-Dirty/Mendez Good-Pure" mythology, and seen families divided, relationships ruined and sacraments refused.

The facts of the "Mendez affair" should lead this new generation to research the "certitudes" they have been handed by Bp. Kelly, just as we did in the 1980s, and to reject them once they inevitably discover (as we did) that they have no basis in Catholic theology or canon law.

- A.C. September, 2001

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Who was Bishop Mendez?

- A Holy Cross Father (the order that runs Notre Dame University.) Consecrated bishop 1960 for Arecibo, Puerto Rico.

▪ Retired early 1974. Lived in Carlsbad CA, near San Diego. Died January 1995, age 87, Cincinnati.

How did he first get involved with Fr. Kelly & SSPV?

- His long-time secretary/housekeeper was Natalie White, writer of anti-*Novus Ordo* articles in 1960s.
- Miss White was a close friend of Fr. William Jenkins' parents, hence the initial connection.
- A number of American traditional priests in Pius X met Mendez in late 1970s. He talked a somewhat conservative line, but never did anything.

When he headed his diocese, was he an anti-Modernist like Abp. Lefebvre?

- No. Evident from eulogy in his diocesan newspaper:
- As a priest in 1950s, Mendez promoted pre-Vatican II nuns' lib movement – sending sisters to study at Notre Dame where liberals would corrupt their faith.
- After Vatican II “he supported the initiatives of sisters who were looking for new horizons.”
- In 1960, Mendez became first bishop in world to make a Cursillo “retreat.” (Cursillo = political-religious movement which originated in Spanish-speaking countries before Vatican II. A leftist/modernist operation which used Communist mind-control/indoctrination techniques on participants: sleep deprivation, exhaustion, emotionalism, public confession of sins, group criticism of individual participants. Also notorious for gross liturgical abuses. Those involved in Cursillo became leaders of modernist program during and after Vatican II.)
- As a new bishop in 1961, Mendez “began the Cursillo movement in Puerto Rico, and he made the Diocese of Arecibo its pioneer.”
- Mendez promoted other liberal initiatives which would “laicize” Church and undercut priest's role. From beginning of Vatican II, “he dedicated himself to the restoration of the

permanent [married] diaconate,” and he “opened horizons and positions for the laity well before Vatican II ended.”

- Was member of CELAM, leftist South American bishops’ organization.

Was Bp. Mendez a traditionalist after he retired?

- Did weekend help-outs & weddings for *Novus Ordo*.
- Raised funds for ultra-Modernist Notre Dame University, celebrated public Masses there.
- In 1981-82, ordained priests at Notre Dame using new rite.
- Said mutilated Paul VI version of traditional Mass (parts missing), but even this only because of influence of his traditionalist housekeeper.
- **Never** took public stand against *Novus Ordo* and Vatican II.
- Is **never once** known to have offered old Mass in public at traditional chapel.
- Promoted compromise initiatives to pull traditional Catholics into *Novus Ordo* church: Indult Masses, special Tridentine Ordinariate under JP2, and Fraternity of St. Peter.
- At same time, also encouraged seminarians to join “conservative” *Novus Ordo* organizations such as Legionnaires of Christ.
- Dressed in coat and tie when traveling & visiting laity.
- In 1985 observed 50th ordination anniversary by being “principal concelebrant” of a *Novus Ordo* at Notre Dame.
- In 1989 sits silently by as Miss White and a visitor argue about the teachings of Fr. Leonard Feeney. Then the bishop informs his somewhat perplexed visitor: “She’s a theologian.”
- In June 1989, when told by traditional priest that traditionalists should not work with modernists, Mendez replied: “Don’t be *against* the new. Just be *for* the traditional.”

Didn’t Bp. Mendez show he was a traditionalist by ordaining two priests for SSPV in September 1990?

- Had no wish to be identified publicly as traditional Catholic or even associated with ceremony.

- Arrived, as usual, in lay clothes.
- Performed ordination ceremony in secret.
- Followed *Novus Ordo* rules and did not ordain candidates to subdiaconate before. (Subdiaconate is when seminarians take on celibacy obligation.)
- Refused to wear all the traditional vestments.
- Insisted ceremony not be videotaped: "Get that thing out of here!"
- When he arrived at Preface of Ordination, which contains the essential sacramental form, suddenly began racing through it so quickly that it was incomprehensible.
- Became angry when asked to repeat essential part.
- Then repeated it in way that prompted following exchange: Fr. Kelly: "Did he get it right that time?" Fr. Thomas Zapp: "I **think** so."
- Ceremony continued on basis of "Think so."
- Fr. Zapp says he cannot vouch for certain that Mendez finally said essential words properly.
- Bishop's conduct during ceremony was such that afterwards in sacristy Fr. Kelly shook his head, told Fr. Zapp: "Never again. I'll never do this again."
- Mendez used a false name to disassociate himself from ordination: "Bishop Francis Gonzalez."
- Lied and denied in writing that he performed ordination, calling it "an ugly rumor." (Letter to Fr. Scott, 17 October 1990)

Didn't this involvement with SSPV at least influence Bp. Mendez in a more traditional direction after 1990?

- We merely reproduce points from written accounts given by three traditional Catholics who had no ax to grind against the bishop. These accounts relate Mendez's actions and statements when he came to visit them in Detroit on July 1-3, 1992. Among other things, Bp. Mendez:
 - Arrived dressed as layman (blue suit). Hinted he dressed this way because someone wanted to kill him. Dressed in lay clothes during entire visit.

- Said he wouldn't consecrate a bishop for SSPV, adding: "They should patch up their differences with the Society of St. Pius X, and Williamson can make them their bishop."
- For saying traditional Mass during visit, Mendez used no altar stone, no crucifix, no altar cloths, no amice, no cincture, no maniple, no stole, no chasuble, no chalice, no chalice veil, no Prayers at Foot of Altar, no Last Gospel, no linen purificator for Precious Blood (used paper towel). Vested à la *Novus Ordo* in only alb & stole. Used metal wedding souvenir cup for chalice, Vaseline jars for cruets. Handled hosts "like poker chips."
- Said that the vernacular Mass was for the poor, but that the Latin Mass was for the rich.
- Told a nun in traditional garb that her habit should be "more simple," and said he favored short habits.
- Told nun he didn't want her to accompany him to airport lest be identified as a religious, much less a traditionalist.
- Said the Church "has too much doctrine," and that Fr. Sanborn pays too much attention to doctrine, "which is not so important."
- Mentioned how he went on cruises and serves as a chaplain "for all denominations."
- Proudly related how he lobbied bishops at Vatican II to approve married deacons.
- Volunteered to ordain his host a priest if his wife dies.
- Boasted about worldly Hollywood connections. Mendez himself related following anecdote: he went a Las Vegas dinner dressed (as usual) in coat and tie. A few days later, he ran into actor Tony Curtis who was at the dinner. Seeing the bishop dressed for a change in a clerical collar, Mr. Curtis told him: "*I'm not the actor, Bishop! You are!*"
- Sprinkled his conversation with hells and damns.
- Claimed he had a secret organization of priests numbering 300 to 400, and secret seminaries training priests to infiltrate the Vatican II church.
- Stated that Cardinal Ratzinger was really working for him (Mendez).
- Began to weep, and said that if God wanted him to admonish

John Paul II, God would have to prove it with a miracle. Mendez thereupon asked a sister present to perform a miracle by lighting a candle miraculously – a request he repeated to her on two other occasions during his visit.

- Written comments in 1992 from horrified host and his wife, both long-time traditional Catholics, and both reliable and sensible people: “Mendez is a modernist bishop. He is aware of the traditionalists, but is very much in tune with the goings-on in the Novus Ordo Church.” “I am in fear that the Bishop would not have the right intent mentally if he were to consecrate a priest [to be] a bishop today. There is not a traditional bone in his body. He is 100% liberal Novus Ordo. He is equal with my spiritually dead children who adore the world and all the evil in it.”

There was a controversy surrounding Bp. Mendez’s death. What were the details?

- In January 1995, SSPV brought him to Cincinnati to show him a church property they hoped he would buy for them. During stay, bishop took ill, went into hospital, was released, died suddenly on Saturday, January 28, at age of 87.
- Because of their extensive involvement with him, SSPV wanted to bury Mendez as if he were really a traditional Catholic. They hurriedly organized a traditional Requiem for Tuesday, and planned a quick burial at Fr. Kelly’s convent in Round Top NY.
- Bishop laid out in SSPV school chapel in Cincinnati. Was first time he is known to have appeared in vestments at a public Mass in traditional Catholic chapel.
- Mendez’s family strenuously objected, obtained an injunction against burial and instituted lawsuit (*Laugier vs. Jenkins*, Common Pleas, Hamilton Cy., A95-507, Judge Nay).
- Case heard February 7. Number of interesting points:
- Mendez’s sister testified that Fr. Jenkins and Miss White (bishop’s housekeeper, friend of Jenkins family) tried to keep family from seeing bishop.
- Also testified Miss White completely took over bishop’s life

in later years. "She bossed him. Took care of everything. Disposed of his money. Disposed of everything."

- When Mendez visited relatives in Puerto Rico, every Mass he celebrated for them was in Spanish. His last visit there: April 1993.

- Bishop's family had doubts about Mendez's mental competency for period from October 1, 1993 onwards.

- On December 6, 1994, shortly before bishop's death, he signed new will making Fr. Kelly's group the beneficiary of his \$1 million-plus fortune.

- On January 26, only two days before bishop's death, Fr. Kelly typed up a document for bishop to sign, requesting burial at Round Top.

- Judge said bishop's supposed signature "looks like some sort of Japanese hieroglyphics to me." In decision, judge added: "If this were a probate court, I think the Probate Court may have said this was not knowingly, intelligently, voluntarily entered into. Could have been undue influence, could have been completely unappreciative of what he was doing; the word he was doing or anything else. As far as I'm concerned, Exhibit Number A is of no value to this Court."

- Judge gave bishop's family custody of body.

- On February 11, Mendez buried in Arecibo Cathedral with *Novus Ordo*.

When and how did SSPV announce that Bp. Mendez made Fr. Kelly a bishop?

- Announcement first made February 8.

- SSPV priests called special parish meetings at chapels to explain.

- Image of Mendez presented to laity: a traditionalist.

- Supposed proofs: Some correspondence between him and Lefebvre. Stories told of "signs from God" indicating consecration should proceed, angels singing before Mendez's death, and how his episcopal lineage can be traced to St. Pius X.

- Reaction: Some laymen quite uneasy. Suspect Mendez not really traditional, full story not being told.

What information has come out so far about the supposed consecration itself?

- Ceremony held October 19, 1993 at Mendez's house in Carlsbad CA.
- Was a secret ceremony held at altar set up in a bedroom.
- In addition to Mendez and Fr. Kelly, the 5 SSPV priests were present. Apparently no one else.
- Photos taken, but no video.

Why was the consecration performed in secret?

- Mendez wasn't really a traditional Catholic. Still believed in Vatican II church. Wanted to remain in good graces with *Novus Ordo* colleagues. Had he acted publicly, *Novus Ordo* authorities would have declared him excommunicated.
- Also, had consecration been public and announced while Mendez was alive, faithful in SSPV chapels would have wanted to meet the heroic prelate who honored their leader. But had devout lay people encountered at any great length the reality of the *Novus Ordo* Mendez (rather than the image presented after his demise), they would have been horrified.

Did Bp. Mendez issue a proper certificate?

- SSPV circulated **five** different accounts or documents:
- First, SSPV informed laity that Mendez issued a certificate – but that he signed it “Gonzalez.”
- Second, document headed “Si Diligis Me.” Mendez states he conferred episcopal consecration, but does not identify who he consecrated, nor where and how.
- Third, 20 October 1993 document titled “Attestation of Episcopal Consecration.” Appears to be signed by Mendez, and says he consecrated Fr. Kelly. Also signed by Frs. Jenkins and Skierka who attest that Mendez signed document.
- Fourth, 10 November 1993 document, with slightly different title: “Declaration of Episcopal Consecration.” Appears to be signed by Mendez. Text similar, but not identical, to

document three. Signature witnessed by housekeeper Miss White, (!) Frs. Jenkins & Baumberger.

- Fifth, 20 October 1993 Latin document apparently signed by Mendez, but neither witnessed nor bearing a visible seal. Text was from a priestly ordination certificate, doctored up for the occasion.
- None of the documents attest (as Fr. Kelly earlier claimed was necessary to accept validity of a “secret” consecration) that “due matter and form” were used, that “qualified witnesses” to the rite were present, etc.
- Successive appearance of five different accounts or documents seems rather fishy, particularly given fuss Fr. Kelly made over documentation of Thuc consecrations. Are some documents “improved” versions, formulated under technicalities of mental reservation? It is fair to wonder.

Why was there no video?

- Fr. Jenkins stated that events developed quickly and that there was no time to arrange for one.
- Explanation doesn’t seem credible. All you needed was camera and videocassette. A baby could have done it.
- More reasonable to believe that SSPV feared video would demonstrate either that (1) Mendez did not act like a traditional Catholic clergyman, or (2) at time of the consecration there was evidence of mental impairment. (See below.)

Fr. Kelly made many charges against the Thuc consecrations. Couldn’t these same charges also be made against his own?

- First objection of Fr. Kelly against Thuc consecrations: charge that they were supposedly always open to question because they were “secret.” Also claimed they were performed under “sordid” circumstances which demeaned the sacrament.
- Fr. Kelly’s consecration: Performed in secret in a chapel set up in a bedroom.

- Fr. Kelly subsequently claimed main reason for considering Thuc consecrations “dubious” was that Thuc never issued a proper certificate. (Claim was forgotten when Latin certificate written out in Thuc’s own hand was produced.)
- Fr. Kelly’s consecration: Five different documents, none with identical contents, one signed with a false name, none of them meeting criteria Fr. Kelly claimed were necessary to accept validity.
- Other charges from Fr. Kelly: Thuc had unsavory connections, was supposedly not traditional Catholic.
- Fr. Kelly’s consecrator, Bp. Mendez: Connections with Cur-sillo, Notre Dame, sundry *Novus Ordo* organizations. Public and private celebrations of *Novus Ordo*, said mutilated version of traditional Mass. Big on married deacons, nuns’ lib, shortened habits, wearing lay clothes, interdenominational chaplaincy, Hollywood, and being “for the traditional,” but not “against the new.”

In Fall 1993, Fr. Kelly began publishing a multi-part article, attacking Abp. Thuc’s competency. What of the “mental state” of Bp. Mendez?

- Should be noted, first of all, that Fr. Sanborn published sworn testimony from Thuc’s friends and enemies alike, all of whom unanimously attested to Thuc’s complete competence.
- Members of Mendez’s **own family**, however, testified under oath in court that they believed bishop’s competence was questionable after October 1, 1993.
- Court testimony: From Oct. 1-11, 1993 Mendez was in San Diego hospital for stroke, pneumonia, operation. Unconscious for 5 days.
- Mendez’s sister visited him in hospital in October 1993. Testified Mendez didn’t recognize her for 3 days. After that: “Then he recognized me, and he didn’t recognize me. It was so funny. He was mixed up.” “Afterwards he went, and then they took him out of the hospital, and they would not let me go near him or anything.”
- Consecration took place October 19, 1993, only **8 days** after

Mendez released.

- In spring 1994, Fr. Ebey, Provincial of Holy Cross Fathers, visited Mendez in California. He testified: "I found the Bishop to be very confused, I thought it could be Alzheimers. I'm of course, not a doctor and not eligible to make medical opinions, but I do have memories of my family who have suffered from this; and I was worried about it."
- Fr. Ebey also phoned Mendez in November, 1994: "I can tell you he was confused in November of 1994."
- Testimony of Mendez grandnephew: He visited bishop in January 1995. "It was difficult and unsettling to have to continuously remind a person who he was and who his family was; and how he used to visit them... I knew he was in ill physical and mental state, definitely... I just didn't think he was all there... Well, I would say that even after spending an hour, hour and a half there, he, you know, may have remembered my name after repeating to him enough times."
- No motive for family or Fr. Ebey to lie about Mendez's mental state. They all testified **before** Fr. Kelly's consecration was revealed. Further, grandnephew stated that family had no interest in bishop's will.
- Other strange behavior before this period: In 1992 Mendez visit to traditionalist family in Detroit, odd business about "miracle of the candle," strange statements (assassinations, secret networks, etc.)
- During same visit (at age 85), Mendez asked to be taken to restaurant for cocktails and dancing with his host's wife, whom he just met, and whom he addressed as "Honey" and "Dear." Constantly pointed out beautiful women in airport and during a visit to a mall. Talked about how many good-looking women there were in his visits to Las Vegas. Made a scandalous comment to a girl in a travel agency. Hosts were appalled.
- Strange behavior/obsessions of this type (sexual) sometimes appear in older men losing control of faculties.
- Consider what SSPV's advice to the laity would have been, had even half the foregoing been said of Abp. Thuc.
- Sad but ironic. Accusation Fr. Kelly falsely made against

“mental state” of Thuc now boomerangs against Mendez, Fr. Kelly’s own supposed consecrator.

So is it “Bishop” Kelly now? What about his future confirmations and priestly ordinations? Should we consider them valid or not?

- As noted in discussion of Thuc consecrations, it doesn’t take much to consecrate a bishop validly. One must objectively and fairly apply the same principles to this case.
- But must admit that there is a real problem here: Mendez family members testified there **was** a competence question from Oct. 1, 1993. Consecration took place on Oct. 19.
- May indeed happen now that someone will challenge Mendez will. If after lengthy battle over estate, judge rules Mendez legally incompetent during period, validity of Fr. Kelly’s consecration then open to question. Then also his ordinations, confirmations.
- Advisable that potential seminarians and recipients of confirmation defer receiving Orders, Confirmation, until issue of Mendez’s competency is resolved.
- *[Note from 2001: Information which later emerged demonstrated that, at the time of Bp. Kelly’s consecration, Bp. Mendez was indeed mentally competent to confer a sacrament.]*

Concluding Note

If you are a dyed-in-the-wool SSPV supporter who still doubts the hypocrisy of Bp. Kelly and SSPV on the Thuc vs. Mendez question, I suggest this experiment: re-read the foregoing notes and substitute the name “Thuc” each time “Mendez” appears above.

Then imagine what conclusions Bp. Kelly would tell you to draw about “unsavory associations” and “doubtful sacraments.”

“For with the same measure that you shall mete withal it shall be measured to you again... Hypocrite, cast first the beam out of thine own eye, and then shalt thou see clearly to take out the mote from that of thy brother.”

Addendum

Bishop Mendez and “Bishop Lili”

I compiled the foregoing fact sheet about Bp. Mendez in 1995 only because Bp. Clarence Kelly and Fr. William Jenkins had long engaged in a campaign to unfairly vilify Abp. P.M. Ngo-dinh-Thuc. This they employed as grounds for dividing families in my parishes and for publicly refusing members sacraments – based on nothing more than guilt by association (via yours truly) with things Abp. Thuc had (supposedly) done in the 1970s or 1980s.

Once SSPV revealed in January 1995 that it was Bp. Mendez who had consecrated Fr. Kelly, the hypocrisy of the Kelly-Jenkins campaign against the exiled and impoverished Vietnamese archbishop became obvious. Demonstrating that Bp. Kelly and Fr. Jenkins’ principles were false became merely a matter of showing that they *themselves* did not follow them.

Since the Kelly-Jenkins strictures against innocent laymen *still* continue nearly 30 years later, it will be useful to point out additional instances of SSPV’s hypocrisy over the Mendez affair as they come to light. Hence this “Addendum.”

One tale Bp. Kelly and Fr. Jenkins endlessly circulate against Abp. Thuc is that he ordained and consecrated Jean Laborie, a man with schismatic connections who was trying to work his way into the traditional movement in 1977, and who was allegedly a “known homosexual.”

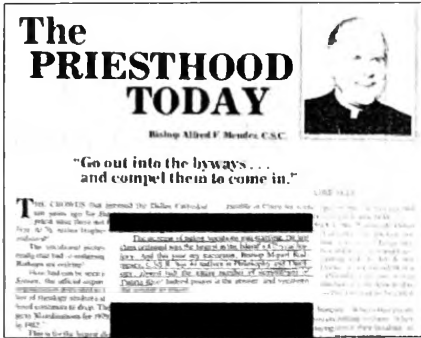
Bp. Kelly employs the latter phrase at least seven times in his book *The Sacred and the Profane*, where he solemnly warns us: “Let us not forget that Archbishop Thuc fell so far as to consecrate a known homosexual...”

Repeating the story is meant to impugn the archbishop’s judgment and to reinforce the Thuc-was-tainted/Mendez-was-pure narrative. SSPV true believers can hold their heads high, and proudly proclaim, “No siree, *our* bishops are not tainted by connections to a bishop who consecrated a ‘known homosexual!’”

But not anymore, it seems, thanks to the 2018 media coverage of the clerical sex abuse crisis.

For the supposedly “pure” Bp. Alfred E. Mendez *himself* committed the same “sin” as the tainted Abp. Thuc, when in March 1974, he “consecrated” the Most Rev. Miguel Rodriguez as his hand-picked successor to episcopal see of Arecibo, Puerto Rico,

Let us first hear Bp. Mendez’ lavish praise on Bp. Rodriguez in an article entitled “The Priesthood Today.”



“The last class ordained was the largest in the Island’s 475-year history. And this year [1979] my successor, Bishop Miguel Rodriguez, CSSR has 44 natives in Philosophy and theology, almost half the entire number of seminarians of Puerto Rico. Indeed, prayer is the answer, and vocations the answer to prayer!” (*The Jesuit*, Summer 1979)

An investigation tracing the long history of clerical sexual abuse in the Archdiocese of Miami, however, reveals *another* facet to the vocations promotion program that Bp. Mendez’ successor had so enthusiastically undertaken:

“Two unrelated sources, both priests, speak of a flamboyantly gay bishop in Arecibo, Puerto Rico, named Miguel Rodriguez Rodriguez, who was known to his pupils as ‘Lili.’ These sources claim that during the 1970s and 80’s, Lili treated Arecibo like his own personal harem, urging cute young men into the priesthood and plying them with gifts and money in exchange for sexual favors. Rome allegedly interceded in 1990 and banished Lili to a secluded monastery, where he remained until his death 20 years later. Several of Lili’s erstwhile pupils landed in Miami in the 80’s and 90’s. Naturally, they were disinclined to take their celibacy oaths too seriously.” (Brandon Thorp, “The Catholic Church’s Secret Gay Cabal,” Gawker, 7/28/11)

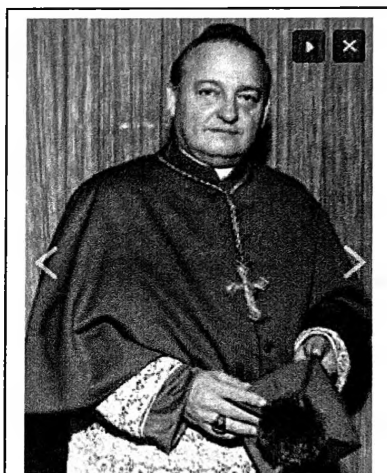
If we were to give these revelations the full Kelly-Jenkins treatment reserved for Abp. Thuc, we would now remove our glasses, slowly shake our heads and solemnly intone in our best *basso profundo* voices: Surely, Bp. Mendez *knew* how depraved Rodriguez was! Shouldn't he have investigated Rodriguez *thoroughly* before consecrating him? Or even publicly *opposed* the consecration? Doesn't this show Bp. Mendez' *complete* lack of judgment in conferring Holy Orders? Or was early-onset Alzheimers' perhaps the *real* reason for Bp. Mendez' unusually early retirement at age 66? Did *this* affect his attitude towards Rodriguez? Can't you see? Bp. Mendez' consecration of the "known homosexual," Bishop Lili, taints the *all* the ordinations and consecrations that Bp. Kelly performs, even 45-years later! Who would want to be associated with *that*?

You get the drift.

But since we *are* Christians, we're not supposed to keep on throwing stones at someone over his past sins – still less, impose the darkest and vilest interpretation imaginable for a person's actions where a more charitable and likely explanation is possible.

So, in the case of Bp. Mendez with Bishop Lili, as in the case of Bp. Thuc with Jean Laborie, it is likely that both prelates had been deceived somehow about the character of the persons they were consecrating. (Abp. Thuc, in fact, said as much later.) It is difficult to imagine that a Catholic bishop of the pre-Vatican II generation would have knowingly and willingly acted otherwise.

But even if both prelates *had* known the real character of those upon whom they laid hands, their episcopal misdeeds would not descend with the orders they conferred, forty years later, to successive generations of clergy – still less, in



Most Rev. Miguel Rodriguez: Bp. Mendez' own "Jean Laborie."

such a way as to allow Bp. Kelly and Fr. Jenkins to refuse sacraments to Catholics associated with them.

Am I engaging in “moral equivalence” here? Not exactly.

For Abp. Thuc’s supposed consecration of a hole-in-corner schismatic – who was never heard from again, by the way, until Bp. Kelly and Fr. Jenkins spread his name everywhere – was imprudent and objectively evil, to be sure.

But it was moral small potatoes when compared to Bp. Mendez’s consecration of Bishop Lili. Bp. Mendez’ successor corrupted a generation of young clergy, and his misdeeds, now nearly forty years later, are part of an ongoing clergy sex abuse scandal that will probably bankrupt the archdiocese of Miami and scandalize Catholics in Florida for generations to come.

Thus the tale of Bp. Mendez and Bp. Lili.

The moral, for Bp. Kelly, Fr. Jenkins and others like them?

Those who, as the Gospel says, “trusted in themselves as just and despised others” may one day well discover that their condemnations of someone else’s “sins” have come back upon their own heads.

May their young colleagues in SSPV learn the lesson, even if their elders do not.

- December 9, 2018

TRADITIONALISTS, INFALLIBILITY AND THE POPE

Rev. Anthony Cekada
1995, updated 2006

If you now assist regularly at the traditional Latin Mass, it is because you concluded at some point that the old Mass and doctrines were Catholic and good, while the new Mass and modern teachings, somehow, were not.

But (like me) you probably had some initial worries: What if the traditional Mass I go to is not approved by the diocese? Am I defying the legitimate authority in the Church? Am I disobeying the pope?

This is the “authority issue,” and it seems to present a real dilemma. The Church teaches that the pope is infallible in faith and morals. Good Catholics, moreover, obey the laws of the pope and the hierarchy. Bad Catholics pick and choose what laws they want to obey. Yet at the same time, the very men who would appear to possess authority in the hierarchy command us to accept doctrines and a Mass which harm the faith or have other disastrous effects. What is a Catholic to do?

Why Reject the Changes?

In order to solve the dilemma, we should begin by considering what drove us out of our Vatican II parishes in the first place. In most cases, it was either contradiction of established Catholic teaching or irreverence in worship. In other words, we instantly recognized some element of the new religion to be either a **doctrinal error** or an **evil**.

And we hardly thought that our objections concerned mere changes in minutiae. The new doctrines, rather, struck us as changes in *substance* – compromises, betrayals, or direct contradictions of immemorial Catholic teaching. Or we came to regard the new system of worship as evil – irreverent, a dishonor to the Blessed Sacrament, repugnant to Catholic doctrine, or utterly destructive to the faith of mil-

lions of souls. Weighty reasons like these – and not mere trifles – were what moved us to resist and reject the changes.

Once we have arrived at this point and recognized (as we do and must) that some *official* pronouncement or law emanating from post-Vatican II hierarchy contains error or evil, we are, in fact, well on the way to resolving the seemingly thorny issue of authority. Let us examine why.

Some Errors and Evils

We begin by listing some of the errors and evils officially approved either by Vatican II or by Paul VI and his successors:

- Vatican II's teaching (and that of the 1983 Code of Canon Law) that the true Church of Christ "subsists in" (n.b., rather than "is") the Catholic Church. This implies that the true Church can also "subsist" in other religious bodies.
- Abolition in Vatican II and the 1983 Code of Canon Law of the traditional distinction between the primary (procreative) and secondary (unitive) ends of marriage, the placing of those ends on same level, and the reversal of their order. The change provides tacit support for contraception, since the prohibition against birth control was based on the teaching that procreation is marriage's *primary* end.
- The systematic suppression, in the original Latin version of Paul VI's new Missal, of the following concepts: hell, divine judgement, God's wrath, punishment for sin, the wickedness of sin as the greatest evil, detachment from the world, purgatory, the souls of the departed, Christ's kingship on earth, the Church Militant, the triumph of the Catholic Faith, the evils of heresy, schism and error, the conversion of non-Catholics, the merits of the saints and miracles. To purge these doctrines from the liturgy is to signal that they are no longer true,

or at least sufficiently important, to merit a mention in the Church's official prayer.

- Paul VI's official approval of communion in the hand. This practice was imposed by 16th-century Protestants in order to deny transubstantiation and the sacramental nature of the priesthood.
- The official doctrinal introduction to the New Order of Mass which taught that the Mass is an assembly-supper, co-celebrated by the congregation and its president, during which Christ is present in the people, the Scripture readings, and in the bread and wine. This is a Protestant or modernist understanding of the Mass, and it provided the theoretical foundation upon which so many subsequent "abuses" would rest.

Benedict XVI's Teachings

To the foregoing we could add many teachings of John Paul II and Benedict XVI, both falsely portrayed as doctrinal "conservatives." Their pronouncements and writings reveal a pervasive theological problem that goes far beyond the issue of traditional Mass vs. New Mass.

Benedict XVI, as Joseph Ratzinger, was a leading modernist theologian at Vatican II, and left a long paper trail of his errors. He was the chief architect of a new theology of the Church which posits a "People of God" and a "Church of Christ" not identical with the Roman Catholic Church – a Super-Church or a Frankenchurch created from "elements" of the true Church that are possessed either fully (by Catholics) or partially (by heretics and schismatics).

The bond holding this ecumenical beast together is Ratzinger's notion of the Church as "communion." As a cardinal and John Paul II's chief doctrinal advisor, he developed this idea in the 1992 CDF *Letter on Communion*, the 2000 Declaration *Dominus Jesus*, the 1983 Code of Canon Law and the 1997 *Catechism*. Here are some typical propositions from Ratzinger's teaching:

- Schismatic bodies are “particular Churches” united to the Catholic Church by “close bonds.” (*Communio* 17).
- The universal church is the “body of [particular] churches.” (*ibid.* 8)
- Schismatic churches have a “wounded” existence. (*ibid.* 17)
- The “universal Church becomes present in them [the particular churches] in all her essential elements.” (*ibid.* 17).
- The Church of Christ is “present and operative” in churches that reject the papacy. (*Dominus Jesus* 17)
- One becomes a member of the “People of God” by baptism. (*Catechism* 782)
- This whole People of God participates in the office of Christ. (*ibid.* 783)
- Christ’s Body, the Church, is “wounded.” (*ibid.* 817)
- Christ’s Spirit uses schismatic and heretical bodies as “means of salvation.” (*ibid.* 819)
- Each “particular Church” is “Catholic,” but some are “fully Catholic.” (*ibid.* 832, 834)

These teachings are contrary to an article of divine and Catholic faith: “I believe in one Church.” “One” in the Creed refers to that property of the Church by which she is “undivided in herself and separated from any other” in faith, discipline and worship. Ratzinger’s teachings are also contrary the teaching of the Church Fathers and the universal ordinary magisterium that heretics are “outside Catholic communion and alien to the Church.” (Pope Leo XIII)

Church Cannot Give Evil

Such lists could probably continue for pages. Our point is that each item can be categorized either as an error (a contradiction or change in substance of teachings of the pre-Vatican II magisterium) or as an evil (something offensive

to God, harmful to the salvation of souls). But the same faith that tells us that the changes are wrong also tells us that the Church cannot defect in her teaching or give evil.

One of the essential properties of the Catholic Church is her **indefectibility**. This means, among other things, that her teaching is “immutable and always remaining the same.” (St. Ignatius of Antioch.) It is impossible for her to contradict her own teaching.

Further, another essential property of Christ’s Church is her **infallibility**. This does not apply (as some traditional Catholics seem to think) only to rare *ex cathedra* papal pronouncements like those defining the Immaculate Conception and the Assumption. Infallibility also extends to the Church’s *universal disciplinary laws*.

The principle, set forth in classic dogmatic theology texts such as Salaverri (I:722), Zubizarreta (I:486), Herrmann (I:258), Schultes (314-7) and Abarzuza (I:447), is typically explained as follows:

The Church’s infallibility extends to - - ecclesiastical laws passed for the universal Church for the direction of Christian worship and Christian living. - - But the Church is infallible in issuing a doctrinal decree as intimated above – and to such an extent that it can never sanction a universal law which would be at odds with faith or morality or would be by its very nature conducive to the injury of souls...

If the Church should make a mistake in the manner alleged when it legislated for the general discipline, it would no longer be either a loyal guardian of revealed doctrine or a trustworthy teacher of the Christian way of life. It would *not be a guardian of revealed doctrine*, for the imposition of a vicious law would be, for all practical purposes, tantamount to an erroneous definition of doctrine; everyone would naturally conclude that what the Church had commanded squared with sound doctrine. It would *not be a teacher of the Christian way of life*, for by its laws it would induce corruption into the practice of religious life. [Van Noort, Dogmatic Theology. 2:91. His emphasis.]

It is impossible, then, for the Church to give something evil through her laws – including laws regulating worship.

A recognition, on one hand, that the post-Vatican II hierarchy *has* officially sanctioned errors and evils, and a consideration, on the other, of the Church's essential properties thus lead us to a conclusion about the authority of the post-Vatican II hierarchy: Given the Church's indefectibility in her teaching (her teaching *cannot* change) and the Church's infallibility in her universal disciplinary laws (her liturgical laws *cannot* compromise doctrine or harm souls), it is **impossible** that the errors and evils we have catalogued could have proceeded from what is in fact the authority of the Church. There must be another explanation.

Loss of Office through Heresy

The only explanation for these errors and evils that preserves the doctrines of the Church's indefectibility and infallibility is that the clerics who promulgated them somehow lost as individuals the authority of the offices in the Church they otherwise appeared to possess – or that they never possessed such authority before God in the first place. Their pronouncements became juridically void and could not bind Catholics – just as the decrees of the bishops in England who accepted the Protestant heresy in the 16th century became void and empty of authority for Catholics.

Such a loss of authority flows from a general principle in Church law: public defection from the Catholic Faith automatically deprives a person of all ecclesiastical offices he may hold. If you think about it, it makes sense: It would be absurd for someone who did *not* truly profess the Catholic Faith to have authority over Catholics who did.

The principle that someone who defects from the Faith automatically loses his office applies to pastors, diocesan bishops and other similar church officials. It also applies to a pope.

Loss of Papal Office

Theologians and canonists such as St. Robert Bellarmine, Cajetan, Suarez, Torquemada, and Wernz and Vidal main-

tain, without compromising the doctrine of papal infallibility, that even a pope (as an individual, of course) may himself become a heretic and thus lose the pontificate. Some of these authors also maintain that a pope can become a *schismatic*.

In his great treatise on the Roman Pontiff, **St. Robert Bellarmine**, for example, asks the question: "Whether a heretical pope can be deposed." Note first, by the way, that his question assumes a pope *can* in fact become a heretic. After a lengthy discussion, Bellarmine concludes:

A pope who is a manifest heretic automatically (*per se*) ceases to be pope and head, just as he ceases automatically to be a Christian and a member of the Church. Wherefore, he can be judged and punished by the Church. *This is the teaching of all the ancient Fathers* who teach that manifest heretics immediately lose all jurisdiction. [*De Romano Pontifice*. II.30. My emphasis.]

Bellarmino cites passages from Cyprian, Driedonus and Melchior Cano to support his position. The basis for this teaching, he says finally, is that a manifest heretic is *in no way* a member of the Church – neither of its soul nor its body, neither by an internal union nor an external one.

Other great canonists and theologians after Bellarmine have likewise supported this position. **Wernz-Vidal's** *Ius Canonicum*, an eight-volume work published in 1943 which is perhaps the most highly respected commentary on the 1917 Code of Canon Law, states:

Through *notorious and openly divulged heresy*, the Roman Pontiff, should he fall into heresy, by that very fact [*ipso facto*] is deemed to be deprived of the power of jurisdiction even *before* any declaratory judgement by the Church. - - A pope who falls into public heresy would cease *ipso facto* to be a member of the Church; therefore, he would also cease to be head of the Church. [II:453. His emphasis.]

Post-Vatican II Canonists

The possibility that a pope may become a heretic and lose his office is also recognized by an authoritative **commenta-**

ry on the 1983 Code of Canon Law:

Classical canonists discussed the question of whether a pope, in his private or personal opinions, could go into heresy, apostasy, or schism. If he were to do so in a notoriously and widely publicized manner, he would break communion, and according to an accepted opinion, lose his office *ipso facto*. (c. 194 §1, 2°). Since no one can judge the pope (c.1404), no one could depose a pope for such crimes, and the authors are divided as to how his loss of office would be declared in such a way that a vacancy could then be filled by a new election. [J. Corridan *et al.*, eds., *The Code of Canon Law: A Text and Commentary* commissioned by the Canon Law Society of America (New York: Paulist 1985), c. 333.]

The principle that a heretical pope automatically loses his office, therefore, is widely admitted by a great variety of Catholic canonists and theologians.

Popes Innocent III & Paul IV

Even popes have raised the possibility that a heretic could somehow end up on the throne of Peter.

Pope Innocent III (1198–1216), one of the most forceful champions of papal authority in the history of the papacy, teaches:

Still less can the Roman Pontiff boast, for he can be judged by men – or rather, he can be shown to be judged, if he manifestly “loses his savor” in heresy. For he who does not believe is already judged. [*Sermo 4: In Consecratione* PL 218:670.]

During the time of the protestant revolt, **Pope Paul IV** (1555-1559), another vigorous defender of the rights of the papacy, suspected that one of the cardinals who stood a good chance of being elected pope in the next conclave was a secret heretic.

On 16 February 1559, therefore, he issued the Bull *Cum ex Apostolatus Officio*. The pontiff decreed that if ever it should ever appear that someone who was elected Roman

Pontiff had beforehand “deviated from the Catholic Faith or fallen into any heresy,” his election, even with the agreement and unanimous consent of all the cardinals would be “null, legally invalid and void.”

All the subsequent acts, laws and appointments of such an invalidly elected pope, Paul IV further decreed, “would be lacking in force, and would grant no stability and legal power to anyone whatsoever.” He ordered, moreover, that all those who would be appointed to ecclesiastical offices by such a pope would, “by that very fact and without the need to make any further declaration, be deprived of any dignity, position, honor, title, authority, office and power.”

The possibility of heresy, then, and a concomitant lack of authority on the part of an individual who appears to be the pope is not in the least far-fetched, and is in fact founded in the teaching of at least two popes.

The Alternatives

Put simply, on one hand we know that **the Church *cannot* defect**. On the other, we know that theologians and even popes teach that **a pope as an individual *can* defect** from the Faith, and thus lose his office and authority.

Once we recognize the errors and evils of the post-Vatican religion, two alternatives thus present themselves:

- 1) The Church has defected.
- 2) Men have defected and lost their offices and authority.

Faced with such a choice, the logic of the faith dictates that we affirm the indefectibility of the Church, and acknowledge the defections of men.

Put another way, our recognition that the changes are false, bad and to be rejected is also an implicit recognition that the men who promulgated them did not really possess the authority of the Church. All traditionalists, one might therefore say, are in reality “sedevacantists” – it’s just that not all of them have realized it yet.

Thus the issue of authority is resolved. Catholics who are struggling to preserve the Faith after the post-Vatican II apostasy have no obligation whatsoever to obey those who have lost their authority by embracing error.

Summary of Points

A summary of all the foregoing would perhaps be in order here:

- 1) Officially-sanctioned Vatican II and post-Vatican II teachings and laws embody errors and/or promote evil.
- 2) Because the Church is indefectible, her teaching cannot change, and because she is infallible, her laws cannot give evil.
- 3) It is therefore impossible that the errors and evils officially sanctioned in Vatican II and post-Vatican II teachings and laws could have proceeded from the authority of the Church.
- 4) Those who promulgate such errors and evils must somehow lack real authority in the Church.
- 5) Canonists and theologians teach that defection from the Faith, once it becomes manifest, brings with it automatic loss of ecclesiastical office (authority). They apply this principle even to a pope who, in his personal capacity, somehow becomes a heretic.
- 6) Even *popes* have acknowledged the possibility that a heretic could one day end up on the throne of Peter. Paul IV decreed that the election of such a pope would be invalid, and that he would lack all authority.
- 7) Since the Church **cannot** defect but a pope as an individual **can** defect (as, *a fortiori*, can diocesan bishops), the best explanation for the post-Vatican II errors and evils we have catalogued is that they proceeded (proceed) from individuals who, despite

their occupation of the Vatican and of various diocesan cathedrals, did (do) not objectively possess canonical authority.

* * * * *

We have amply demonstrated here that it is against the Catholic Faith to assert that the Church can teach error or promulgate evil laws. We have also shown that Vatican II and its reforms have given us errors against Catholic doctrine and evil laws inimical to the salvation of souls.

The Faith itself therefore constrains us to assert that those who have taught these errors or promulgated these evil laws, no matter what appearance of authority they may have, **do not in fact possess the authority of the Catholic Church**. Only in this way is the indefectibility of the Catholic Church preserved. We must therefore, as Catholics who affirm that the Church is both indefectible and infallible, reject and repudiate the claims that Paul VI and his successors have been true popes.

On the other hand we leave it to the authority of the Church, when it once again will function in a normal manner, to declare authoritatively that these supposed popes were non-popes. We as simple priests cannot, after all, make authoritative judgements, whether legal or doctrinal, which bind the consciences of the faithful.

We traditional Catholics, finally, have not founded a new religion, but are merely engaged in a "holding action" to preserve the Faith and Catholic worship until better days. In the meantime, that goal will be best served if we address difficult issues with attentiveness not only to theological principles, but also to the theological virtue of charity.

Appendix 1

Heresy and Loss of Papal Office

It may seem surprising to Catholics who have been taught the doctrine of papal infallibility that a pope, as a private teacher, can nevertheless fall into heresy and automatically lose his office. Lest it be thought that this principle is a fantasy invented by traditionalist “fanatics,” or, at best, just a minority opinion expressed by an obscure Catholic writer or two, we reproduce some texts from popes, saints, canonists and theologians.

Lay readers may not be familiar with the names of Coronata, Iragui, Badii, Prümmer, Wernz, Vidal, Beste, Vermeersch, Creusen, and Regatillo. These priests were internationally recognized authorities in their fields before Vatican II. Our citations are taken from their massive treatises on canon law and dogmatic theology.

Matthaeus Conte a Coronata (1950)

III. Appointment to the office of the Primacy [i.e. papacy]. 1° What is required by divine law for this appointment: (a) It is required that the appointment be of a man who possesses the use of reason – and this at least because of the ordination the Primate must receive to possess the power of Holy Orders. Indeed, this is required for the validity of the appointment.

Also required for validity is that the appointment be of a member of the Church. Heretics and apostates (at least public ones) are therefore excluded. - -

2° Loss of office of the Roman Pontiff. This can occur in various ways: - -

c) Notorious heresy. Certain authors deny the supposition that the Roman Pontiff can indeed become a heretic.

It cannot be proven however that the Roman Pontiff, as a private teacher, cannot become a heretic – if, for example, he would contumaciously deny a previously defined dogma. Such impeccability was never promised by God. Indeed, Pope

Innocent III expressly admits such a case is possible.

If indeed such a situation would happen, he [the Roman Pontiff] would, by divine law, fall from office without any sentence, indeed, without even a declaratory one. He who openly professes heresy places himself outside the Church, and it is not likely that Christ would preserve the Primacy of His Church in one so unworthy. Wherefore, if the Roman Pontiff were to profess heresy, before any condemnatory sentence (which would be impossible anyway) he would lose his authority. [*Institutiones Iuris Canonici*. Rome: Marietti 1950. 1:312, 316. (My emphasis.)]

Pope Innocent III (1198)

To this end faith is so necessary for me that, though I have for other sins God alone as my judge, it is alone for a sin committed against the faith that I may be judged by the Church. For “he who does not believe is already judged.” [*Sermo 2: In Consecratione* PL 218:656.]

You are the salt of the earth - - Still less can the Roman Pontiff boast, for he can be judged by men – or rather, he can be shown to be judged, if he manifestly “loses his savor” in heresy. For he who does not believe is already judged. [*Sermo 4: In Consecratione* PL 218:670.]

St. Antoninus (†1459)

In the case in which the pope would become a heretic, he would find himself, by that fact alone and without any other sentence, separated from the Church. A head separated from a body cannot, as long as it remains separated, be head of the same body from which it was cut off.

A pope who would be separated from the Church by heresy, therefore, would by that very fact itself cease to be head of the Church. He could not be a heretic and remain pope, because, since he is outside of the Church, he cannot possess the keys of the Church.” *Summa Theologica*, cited in *Actes de Vatican I*. V. Frond pub.



Pope Paul IV (1559)

Further, if ever it should ever appear that any bishop (even one acting as an archbishop, patriarch or primate), or a cardinal of the

Roman Church, or a legate (as mentioned above), or even the Roman Pontiff (whether prior to his promotion to cardinal, or prior to his election to be Roman Pontiff), has beforehand deviated from the Catholic Faith or fallen into any heresy, [We enact, decree, determine and define]:

Such promotion or election in and of itself, even with the agreement and unanimous consent of all the cardinals, shall be null, legally invalid and void.

It shall not be possible for such a promotion or election to be deemed valid or to be valid, neither through reception of office, consecration, subsequent administration, or possession, nor even through the putative enthronement of a Roman Pontiff himself, together with the veneration and obedience accorded him by all.

Such promotion or election, shall not through any lapse of time in the foregoing situation, be considered even partially legitimate in any way...

Each and all of the words, as acts, laws, appointments of those so promoted or elected – and indeed, whatsoever flows therefrom – shall be lacking in force, and shall grant no stability and legal power to anyone whatsoever.

Those so promoted or elected, by that very fact and without the need to make any further declaration, shall be deprived of any dignity, position, honor, title, authority, office and power.” Bull *Cum ex Apostolatus Officio*. 16 February 1559.

St. Robert Bellarmine (1610)

A pope who is a manifest heretic automatically (*per se*) ceases to be pope and head, just as he ceases automatically to be a Christian and a member of the Church. Wherefore, he can be judged and punished by the Church. This is the teaching of all the ancient Fathers who teach that manifest heretics immediately lose all jurisdiction. *De Romano Pontifice*. II.30.

St. Alphonsus Liguori (†1787)

If ever a pope, as a private person, should fall into heresy, he would at once fall from the pontificate. *Oeuvres Complètes*. 9:232

Vatican I (1869), Serapius Iragui (1959)

What would be said if the Roman Pontiff were to become a heretic? In the First Vatican Council, the following question was proposed: Whether or not the Roman Pontiff as a private person could fall into manifest heresy?

The response was thus: "Firmly trusting in supernatural providence, we think that such things quite probably will never occur. But God does not fail in times of need. Wherefore, if He Himself would permit such an evil, the means to deal with it would not be lacking." [Mansi 52:1109]

Theologians respond the same way. We cannot prove the absolute unlikelihood of such an event [*absolutam repugnantiam facti*]. For this reason, theologians commonly concede that the Roman Pontiff, if he should fall into manifest heresy, would no longer be a member of the Church, and therefore could neither be called its visible head. *Manuale Theologiæ Dogmaticæ*. Madrid: Ediciones Studium 1959. 371.

J. Wilhelm (1913)

The pope himself, if notoriously guilty of heresy, would cease to be pope because he would cease to be a member of the

Church. *Catholic Encyclopedia*. New York: Encyclopedia Press 1913. 7:261.

Caesar Badii (1921)

c) *The law now in force for the election of the Roman Pontiff* is reduced to these points:...

Barred as *incapable* of being validly elected are the following: women, children who have not reached the age of reason, those suffering from habitual insanity, the unbaptized, heretics and schismatics...

Cessation of pontifical power. This power ceases: - - (d) Through notorious and openly divulged *heresy*. A publicly heretical pope would no longer be a member of the Church; for this reason, he could no longer be its head. *Institutiones Iuris Canonici*. Florence: Fiorentina 1921. 160, 165. (His emphasis.)

Dominic Prümmer (1927)

The power of the Roman Pontiff is lost. - - (c) *By his perpetual insanity or by formal heresy*. And this at least probably...

The authors indeed commonly teach that a pope loses his power through certain and notorious heresy, but whether this case is really possible is rightly doubted.

Based on the supposition, however, that a pope could fall into heresy as a *private* person (for as pope he could not err in faith, because he would be infallible), various authors have worked out different answers as to how he would then be deprived of his power. None of the answers, nevertheless, exceed the limits of probability. *Manuale Iuris Canonici*. Fribourg in Briesgau: Herder 1927. 95. (His emphasis.)

F.X. Wernz, P. Vidal (1943)

Through notorious and openly divulged heresy, the Roman Pontiff, should he fall into heresy, by that very fact [*ipso*

facto] is deemed to be deprived of the power of jurisdiction even *before* any declaratory judgement by the Church. - - A pope who falls into public heresy would cease *ipso facto* to be a member of the Church; therefore, he would also cease to be head of the Church. *Ius Canonicum*. Rome: Gregorian 1943. 2:453.

Udalricus Beste (1946)

Not a few canonists teach that, outside of death and abdication, the pontifical dignity can also be lost by falling into a certain and insane loss of mind, which is legally equivalent to death, as well as through manifest and notorious heresy. In the latter case, a pope would automatically fall from his power, and this, indeed, without the issuance of any sentence, for the first See [i.e., the See of Peter] is judged by no one.

The reason is that, by falling into heresy, the pope ceases to be a member of the Church. He who is not a member of a society, obviously, cannot be its head. We can find no example of this in history. *Introductio in Codicem*. 3rd ed. Collegeville: St. John's Abbey Press 1946. Canon 221.

A. Vermeersch, I. Creusen (1949)

The power of the Roman Pontiff ceases by death, free resignation (which is valid without need for any acceptance, c. 221), certain and unquestionably perpetual insanity, and notorious heresy.

At least according to the more common teaching, the Roman Pontiff as a private teacher can fall into manifest heresy. Then, without any declaratory sentence (for the supreme See is judged by no one), he would automatically [*ipso facto*] fall from a power which he who no longer a member of the Church is unable to possess." *Epitome Iuris Canonici*. Rome: Dessain 1949. 340.

Eduardus F. Regatillo (1956)

The Roman Pontiff ceases in office: - - (4) *Through notorious public heresy?* Five answers have been given:

- 1) "The pope cannot be a heretic even as a private teacher." This is pious, but there is little foundation for it.
- 2) "The pope loses office even through secret heresy." False, because a secret heretic can be a member of the Church.
- 3) "The pope does not lose office because of public heresy." Improbable.
- 4) "The pope loses office by a judicial sentence because of public heresy." But who would issue the sentence? The first See is judged by no one (Canon 1556).
- 5) "The pope loses office *ipso facto* because of public heresy." This is the more common teaching, because he would not be a member of the Church, and hence far less could he be its head. *Institutiones Iuris Canonici*. 5th ed. Santander: Sal Terræ, 1956. 1:396. (His emphasis.)

Appendix 2

Heresy: The Sin vs. the Crime

Some writers have raised the following objection: No one can become a true heretic unless Church authority first warns or admonishes him that he is rejecting a dogma. Only after that does he have the "pertinacity" (stubbornness in false belief) required for heresy. No one issued warnings to the post-Conciliar popes about their errors, so they are not pertinacious. Thus they cannot be true heretics.

This argument confuses a distinction that canonists make between two aspects of heresy:

- 1) *Moral*: Heresy as a **sin** (*peccatum*) against **divine** law.
- 2) *Canonical*: Heresy as a **crime** (*delictum*) against **canon** law.

The moral/canonical distinction is easy to grasp by applying

it to abortion. There are two aspects under which we can consider abortion:

- 1) *Moral*: Sin against the 5th Commandment that results in the loss of sanctifying grace.
- 2) *Canonical*: Crime against canon 2350.1 of the Code of Canon Law that results in automatic excommunication.

In the case of heresy, warnings only come into play for the *canonical crime* of heresy. These are not required as a condition for committing the *sin* of heresy against the divine law.

The canonist Michel draws the clear distinction for us: **“Pertinacity does not of necessity include long obstinacy by the heretic and warnings from the Church.** A condition for the sin of heresy is one thing; a condition for the canonical crime of heresy, punishable by canon laws, is another.” (Michel, “Hérésie,” in DTC 6:2222)

It is a pope’s public *sin* of heresy in this sense that strips him of Christ’s authority. “If indeed such a situation would happen,” said the canonist Coronata. “he [the Roman Pontiff] would, **by divine law**, fall from office without any sentence.” (See above)

Appendix 3

Did the New Mass Come from the Church?

We noted above that, if the New Mass is Protestant, irreverent, sacrilegious, or otherwise harmful to the Catholic Faith or the salvation of souls, it *cannot* come from the authority of the Church, because her infallibility extends to universal disciplinary laws, including liturgical laws. Below are some quotes from theologians which explain this teaching.

The term “universal” refers to the *territory* where a law applies (everywhere vs. a limited geographical area), not the *rite* (Latin vs. Eastern). (See Prümmer, *Man. Jus. Can.*, 4)

Most theologians cite the anathema of Trent (also quoted here) against those who say that the ceremonies of the Catholic Church are “incentives to impiety.”

“Incentives to impiety,” most traditional Catholics would probably agree, is probably the best three-word description you can find for the rites and prayers of Paul VI’s *Novus Ordo*. It has done nothing but erode faith, promote error, and progressively empty our churches. The man who promulgated such a rite could not, therefore, have possessed the authority of Peter.

Council of Trent (1562)

If anyone says that the ceremonies, vestments and outward signs, which the Catholic Church uses in the celebration of Masses, are incentives to impiety rather than the service of piety: let him be anathema. *Canons on the Mass*. 17 September 1562. Denzinger 954.

P. Hermann (1908)

The Church is infallible in her general discipline. By the term general discipline is understood the laws and practices which belong to the external ordering of the whole Church. Such things would be those which concern either external worship, such as liturgy and rubrics, or the administration of the sacraments, such as Communion under one species. - -

The Church in her general discipline, however, is said to be infallible in this sense: that nothing can be found in her disciplinary laws which is against the Faith or good morals, or which can tend [*vergere*] either to the detriment of the Church or to the harm of the faithful.

That the Church is infallible in her discipline follows from her very mission. The Church’s mission is to preserve the integral faith and to lead people to salvation by teaching them to preserve whatever Christ commanded. But if she were able to prescribe or command or tolerate in her discipline something against faith and morals, or something which

tended to the detriment of the Church or to the harm of the faithful, the Church would turn away from her divine mission, which would be impossible. *Institutiones Theologiæ Dogmaticæ*. 4th ed. Rome: Della Pace 1908. 1:258.

A. Dorsch (1928)

The Church is also rightfully held to be infallible in her disciplinary decrees - -

By disciplinary decrees are understood all those things which pertain to the ruling of the Church, insofar as it is distinguished from the magisterium. Referred to here, then, are ecclesiastical laws which the Church laid down for the universal Church in order to regulate divine worship or to direct the Christian life." *Institutiones Theologiæ Fundamentals*. Innsbruck: Rauch 1928. 2:409.

R.M. Schultes (1931)

The Infallibility of the Church in Enacting Disciplinary Laws. Disciplinary laws are defined as "ecclesiastical laws laid down to direct Christian life and worship." - -

The question of whether the Church is infallible in establishing a disciplinary law concerns the substance of universal disciplinary laws – that is, whether such laws can be contrary to a teaching of faith or morals, and so work to the spiritual harm of the faithful - -

Thesis. The Church, in establishing universal laws, is infallible as regards their substance.

The Church is infallible in matters of faith and morals. Through disciplinary laws, the Church teaches about matters of faith and morals, not doctrinally or theoretically, but practically and effectively. A disciplinary law therefore involves a doctrinal judgement. - -

The reason, therefore, and foundation for the Church's infallibility in her general discipline is the intimate connection between truths of faith or morals and disciplinary laws.

The principal matter of disciplinary laws is as follows: a) worship - - *De Ecclesia Catholica*. Paris: Lethielleux 1931. 314-7.

Valentino Zubizarreta (1948)

Corollary II. In establishing disciplinary laws for the universal Church, the Church is likewise infallible, in such a way that she would never legislate something which would contradict true faith or good morals.

Church discipline is defined as “that legislation or collection of laws which direct men how to worship God rightly and how to live a good Christian life” - -

Proof for the Corollary. It has been shown above that the Church enjoys infallibility in those things which concern faith and morals, or which are necessarily required for their preservation. Disciplinary laws, prescribed for the universal Church in order to worship God and rightly promote a good Christian life, are implicitly revealed in matters of morals, and are necessary to preserve faith and good morals. Therefore, the Corollary is proved.” *Theologia Dogmatico-Scholastica*. 4th ed. Vitoria: El Carmen 1948. 1:486.

Serapius Iragui (1959)

Outside those truths revealed in themselves, the object of the magisterium’s infallibility includes other truths which, while not revealed, are nevertheless necessary to integrally preserve the deposit of the Faith, correctly explain it, and effectively define it. - -

D) *Disciplinary Decrees.* These decrees are universal ecclesiastical laws which govern man’s Christian life and divine worship. Even though the faculty of establishing laws pertains to the power of jurisdiction, nevertheless the power of the magisterium is considered in these laws under another special aspect, insofar as there must be nothing in these laws opposed to the natural or positive law. In this respect, we say that the judgement of the Church is infallible - -

1°) This is required by the nature and purpose of infallibility, for the infallible Church must lead her subjects to sanctification through a correct exposition of doctrine. Indeed, if the Church in her universally binding decrees would impose false doctrine, by that very fact men would be turned away from salvation, and the very nature of the true Church would be placed in peril.

All this, however, is repugnant to the prerogative of infallibility with which Christ endowed His Church. Therefore, when the Church establishes disciplinary laws, she must be infallible. *Manuale Theologiæ Dogmaticæ*. Madrid: Ediciones Studium 1959. 1:436, 447.

Joachim Salaverri (1962)

3) Regarding disciplinary decrees in general which are by their purpose [*finaliter*] connected with things God has revealed.

A. The purpose of the infallible Magisterium requires infallibility for decrees of this kind - -

Specifically, that the Church claims infallibility for herself in liturgical decrees is established by the law the Councils of Constance and Trent solemnly enacted regarding eucharistic communion under one species.

This can also be abundantly proved from other decrees, by which the Council of Trent solemnly confirmed the rites and ceremonies used in the administration of the sacraments and the celebration of Mass. *Sacræ Theologiæ Summa*. 5th ed. Madrid: BAC 1962. 1: 722, 723.

Appendix 4

A Long Vacancy of the Holy See

Some traditionalists have offered another objection: Vatican I taught that St. Peter would have “perpetual successors” in the Primacy. (DZ 1825) Doesn’t this mean that it would be *impossible* for the Church to be without a true pope for such a long time – since Vatican II in the 1960s, as you seem to

No. Vatican I's definition was in fact directed against heretics who taught that St. Peter's special power from Christ *died with him* and was not passed along to his successors, the popes. "Perpetual successors" means that the *office* of the Primacy is perpetual – not limited to Peter, but "a power that will perpetually endure to the end of the world." (Salaverri, *de Ecclesia* 1:385)

But this papal office can remain vacant for a long time without becoming extinct or changing the nature of the Church. Here is the explanation:

A. Dorsch (1928)

The Church therefore is a society that is essentially monarchical. **But this does not prevent the Church**, for a short time after the death of a pope, or **even for many years, from remaining deprived of her head**. Her monarchical form also remains intact in this state. - -

Thus the Church is then indeed a headless body - - Her monarchical form of government remains, though then in a different way – that is, it remains incomplete and to be completed. The ordering of the whole to submission to her Primate is present, even though actual submission is not - -

For this reason, the See of Rome is rightly said to remain after the person sitting in it has died – for the See of Rome consists essentially in the rights of the Primate. These rights are an essential and necessary element of the Church. With them, moreover, the Primacy then continues, at least morally. **The perennial physical presence of the person of the head, however, is not so strictly necessary.** (*de Ecclesia* 2:196-7)

Appendix 5

Where Would We Get a True Pope?

If the post-Vatican II popes are not true popes, how might the Church one day get a true pope again? Here are some theories:

- 1) *Direct Divine Intervention*. This scenario is found in the writings of some approved mystics.
- 2) *The Material/Formal Thesis*. This holds that should a post-Vatican II pope publicly renounce the heresies of the post-Conciliar Church, he would automatically become a true pope.
- 3) *An Imperfect General Council*. The theologian Cajetan (1469-1534) and others teach that, should the College of Cardinals become extinct, the right to elect a pope would devolve to the clergy of Rome, and then to the universal Church. (*de Comparatione* 13, 742, 745)

Each of these seems to present some difficulties. But this should not be surprising, because the precise solution to an unusual problem in the Church cannot always be predicted beforehand. This can be seen from the following comment in the 1913 *Catholic Encyclopedia*: “No canonical provisions exist regulating the authority of the College of Cardinals *sede Romanâ impeditâ*, i.e. in case the pope became insane, or personally a heretic; in such cases it would be necessary to consult the dictates of right reason and the teachings of history.” (“Cardinal,” CE 3:339)

Moreover, an inability at present to determine exactly *how* another true pope would be chosen in the future does not somehow make Paul VI and his successors into true popes by default.

Nor does it change what we already *know*: that the post-Conciliar popes promulgated errors, heresies and evil laws; that a heretic cannot be a true pope; and that promulgating evil laws is incompatible with possessing authority from Jesus Christ.

To insist despite this that the post-Conciliar popes *must* be true popes creates an insoluble problem for the indefectibility of the Church – Christ’s representatives teach error and give evil. Whereas a long vacancy of the Holy See, as noted in Appendix 4, is *not* contrary to the indefectibility or the nature of the Church.

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SEDEVACANTISM: HOW TO TELL AUNT HELEN

Rev. Anthony Cekada
Sacerdotium 15, Autumn 1995

Author's note: Early in 1995 I carried on a cordial correspondence over the issue of sedevacantism with a Catholic priest who operates an independent traditional chapel. In one letter he allowed that while many of the sedevacantist arguments seemed reasonable, the "pastoral" side of the issue bothered him. He worried that such a position would shock parishioners, both current and potential, and possibly drive them into the arms of compromise groups such as the Fraternity of St. Peter. How would simpler people react, he wondered. And what would my Aunt Helen think? Herewith my reply.

* * * * *

Dear Father:

Thanks for your kind letter of March 28th. A lot has been going on here (Holy Week, travels, etc.) so I haven't been able to reply promptly. *Mea culpa!*

I thought I'd offer you some thoughts not so much apropos the *sede vacante* question and the Tridentine Rite Conference, but rather on the pastoral treatment of the *sede vacante* issue in general. I certainly understand your concern. Your question, "What would Aunt Helen think?" is a good one, in the sense that we certainly don't want to scare people off. How should we handle it so that we don't give laymen a wrong impression? Herewith, my reflections:

While I've been a sedevacantist since even before my ordination, I've handled the issue pastorally in a variety of ways over the years. I like to think that I finally learned something from my many blunders. The following approaches did **not** work:

- **Pulpit pounding, inflammatory rhetoric, repeated emotional denunciations from pulpit.** This drove newcomers and old-timers away. It was invariably misinterpreted as “attacking the pope.”
- **Only rare, subtle allusions to issue from pulpit.** Pointless. People don’t pick up on subtleties.
- **Discuss pope issue only when asked privately.** It seems deceptive to new people. They feel you’ve been hiding something from them.
- **Present the *sede vacante* and I-can-disobey-him-but-he’s-still-my-father approaches as equally acceptable options.** Illogical if one believes the *sede vacante* thesis. Many new people, moreover, find the “right-to-disobey” option profoundly unsettling, since “good Catholics obey the pope.”
- **Silence on the issue.** People will never have a coherent explanation for their course of action. Or they’ll be easily lured back to the *Novus Ordo* or some St. Peter Fraternity/Indult operation.

What I’ve found, moreover, is that newcomers to the traditional Mass are usually worried about the “disobedience/pope/authority” issue, even if they don’t come out and mention it right away.

The consequences of **not** addressing the issue are grave. For years, people in an independent traditionalist chapel may hear either nothing about the pope/authority issue – or they hear sentimental and/or theologically suspect notions like the following: we support the pope, the bishop we can reject, the pope’s really on our side, he’s deceived by evil men around him, the Mass is all that really counts, we can disobey bad orders from the pope and bishop, he’s still the pope, he’s all we’ve got, etc. A congregation that gets this sort of thing all the time will be pushovers when some day an Indult/St. Peter Fraternity type comes along to offer them the devil’s bargain of both “the pope” and a “legit” traditional Mass. Why not take the offer? Shouldn’t Catholics want to

be “united to the pope”? It’s perfectly logical if someone recognizes him as one of Peter’s true successors.

Dollars to doughnuts, this is exactly why the modernists were able to take over the Pequannock [New Jersey] chapel the way they did. It could never happen in one of our churches. Most of our people understand that JP2 and company are enemies of the Catholic Faith; they’d rather burn down the buildings than let the modernists take over.

The approach to the pope issue I now take with new people is rather direct. I find that if you explain things clearly and in a matter-of-fact fashion right away, people will actually be relieved, and there will be far less of a chance of losing them to the Ordo or to the Indult/St. Peter Fraternity crowd. I make a point of inviting them over for a chat so they have plenty of opportunity to ask questions.

I deal with the obedience/pope/authority issue roughly as follows:

1. I discuss why a new person abandoned his parish and came to traditional Mass. (Inevitably, the reply is that the New Mass is irreverent, sacrilegious, full of errors, otherwise bad, etc., while the traditional Mass is reverent, respectful, orthodox, etc.)
2. I point out how most of the objectionable features of the New Mass (communion in the hand, “cultural adaptation,” etc.) are officially permitted or even recommended by liturgical legislation approved by Paul VI and his successors.
3. As Catholics, though, we know that the Church’s infallibility is not limited merely to *ex cathedra* pronouncements, but also extends to universal laws, specifically, to her rites. It is impossible for the Church to give a law or approve a rite which promotes error or harms souls.
4. Problem: On one hand, it is self-evident to us that the New Mass **does** promote error and harm souls. On the other, because of infallibility, a law or rite approved by the authority of Church **cannot** pro-

mote error or harm souls.

5. We're faced with a choice. Either: (1) Church authority no longer enjoys infallibility – impossible, due to Christ's promise; or (2) The men who promulgated the laws or rites which promote error and harm souls, **did not truly possess authority of the Church.**
6. How is this possible? Heresy or public defection from faith means automatic loss of office, because heresy puts you outside the Church. Example: Archbishop Cranmer during the Protestant revolt in England. When at some point his personal heresy became manifest, he put himself outside the Church and lost authority over Catholics. He still **appeared** to be Abp. of Canterbury (retaining his miter, crozier, throne, cathedral, and cope), but because of his defection from faith, in the eyes of God he objectively lost his authority and office. (Arius and other examples are sometimes helpful.)
7. This principle applies to anyone who holds authority or an office in church – a diocesan bishop, archbishop, pastor of parish, even a pope.
8. A Pope too? When elected to the papacy, you don't lose your free will. You can choose to do evil things. You can also lose the Faith, and embrace error as a private person. When your defection from faith becomes publicly manifest, you automatically lose your office.
9. This is not just something invented by traditionalists. It is the teaching of major theologians and canonists.* Even a pope (Paul IV) said such a situation was possible.
10. Faced with choice of believing that either: (1) The authority of the Church promotes error/harms

* The principle, by the way, does not merely fall under the heading of human (canon) law. That a heresy renders someone incapable of becoming pope or remaining pope is a principle of divine law. (See the quote from Coronata in the enclosed pamphlet.) [pp. 370-371]

souls (an impossibility, given the Church's infallibility) or that (2) a pope as an individual has defected from the Faith and consequently lost his office (a possibility admitted by theologians and even popes), the logic of the faith compels us to believe the latter proposition.

11. A Catholic, therefore, would owe no obedience to someone who does not truly possess the Church's authority. Condemnations from the modernist V-2 hierarchy shouldn't worry us, any more than we would worry about being condemned by a local Anglican or Lutheran bishop.
12. At the same time, I'm not the pope, and I don't require that you sign on the dotted line to all this before coming to Mass here. It's just that, having heard many explanations for the post-Vatican II mess, this seems to be the only one which makes sense in terms of the Church's infallibility.
13. But don't just take my word for it. Study the issue, think about it, discuss it with others, come back with any questions, worries.

You probably remember the saying: "Real men don't eat quiche." The principle behind the above boils down to something like "Real popes don't issue *Novus Ordo*" – if the New Mass is evil, Protestant, and sacrilegious, in other words, then it could not have come from a real pope (someone who truly possessed authority in the eyes of God).

I have gone over these points like this with about ten new families over the past year here. No one seemed shocked, everyone asked intelligent questions, all said it sounded reasonable, and everyone (to my knowledge) now faithfully attends Mass here.

My purpose in bringing all this up, I suppose, is to demonstrate that a reasonable and pastoral approach is possible when discussing the pope issue with the laity.

Enclosed is a reprint of my article on the pope issue. It started out as a lecture which was very well received. I give

a copy to newcomers, along with the usual packet of info.

Also in the works: a new and improved version of *Welcome to the Traditional Latin Mass, a Tridentine Mass / Novus Ordo* compared pamphlet I wrote a couple of years ago. I'll send you a copy as soon as it's printed.

Be assured, Father, of my prayers for you.

Fraternally in Christ,

The Rev. Anthony Cekada

QUESTIONS & REPLIES

Rev. Anthony Cekada
Sacerdotium 14, Spring 1995

Fraternity of St. Peter: SOME SALIENT PROBLEMS

Q. Recently, the Fraternity of St. Peter has started operating near to where I offer the traditional Latin Mass every week. Fraternity priests tell people not to receive the sacraments at my Mass center because I do not have faculties from the local bishop, who is of course a complete modernist.

The Fraternity's criticisms of me aside, their operation leaves me very uneasy. I suspect I should tell my people to steer clear, but I can't figure out how exactly to explain the reasons.

I am not a sedevacantist. Do you have any reflections on the problems with the Fraternity of St. Peter apart from the pope question?

A. Apart from the question of John Paul II's legitimacy, working with or supporting the Fraternity of St. Peter (FSSP) poses a whole slew of ecclesiological, doctrinal and moral problems. Whether an FSSP supporter is willing to admit it or not, he implicitly accepts the orthodoxy, legitimacy and/or intrinsic goodness of the *Novus Ordo*, ecumenism, religious liberty, communion in the hand, liturgical dance, server-ettes, patently phony annulments, the new catechism, subjection to heretical bishops, legally-sanctioned intercommunion with eastern schismatics, etc., etc.

FSSP priests cannot condemn any of these things; Fraternity members purchase "official approval" with the coin of their silence. Nor, logically speaking, *could* FSSP condemn



such things – for while their organization is enjoying official approval in *its* side chapel of the Conciliar Church, John Paul is at the main altar with the dancers for the African Synod Mass, an officially-approved female in another chapel is popping hosts in the officially-approved way into people's hands, and someone else in still another chapel is running kiddy Masses according to the officially-approved Children's Directory.

The traditional Mass and the traditional faith are thus reduced to nothing more than one dish among the many officially approved for the post-Vatican II smorgasbord. Worship and belief become nothing more than a matter of "preference" – I like the old way, you like the new way, and we're all one big happy post-Vatican II family.

Lay people sometimes are oblivious to this broader picture. They see a traditional Mass, and presume all is well. It's not. In reality, the Fraternity of St. Peter is leading its lay adherents bit by bit into the high-church, nostalgia wing of the ecumenical, post-Vatican religion.

Such an aim, to be sure, may be far from the minds of priests and seminarians in the FSSP. But it is difficult to discern what reason they could give for adhering to the old Mass, other than pure, sentimental "preference." All FSSP members must accept the legitimacy and "doctrinal rectitude" of the *Novus Ordo*. Why refrain from celebrating a valid, licit and doctrinally sound rite of Mass if the pope himself celebrates it? It would be interesting to hear FSSP explain the theory behind its practice.

Fr. Feeney's Excommunication Doubtful Because Decree Signed by "Mere Notary"?

Q. In a letter to the editor of *Latin Mass* magazine (November-December 1994), Gary Potter stated that the Holy Office's 13 February 1953 decree excommunicating the Rev. Leonard Feeney was dubious because it was "signed by no one except a mere Vatican

notary.” I have also heard this argument from other supporters of Fr. Feeney. Is there anything to it?

A. The Holy Office decree in question (*Acta Apostolicæ Sedis* XXXXV, 100) reads as follows:

**Decree
The Priest Leonard Feeney is
Declared Excommunicated**

Since the priest Leonard Feeney, a resident of Boston (Saint Benedict Center), who for a long time has been suspended *a divinis* for grave disobedience toward church authority, has not, despite repeated warnings and threats of incurring excommunication *ipso facto*, come to his senses, the Most Eminent and Reverend Fathers, charged with safeguarding matters of faith and morals, have, in a Plenary Session held on Wednesday 4 February 1953, declared him excommunicated with all the effects of the law.

On Thursday, 12 February 1953, our Most Holy Lord Pius XII, by Divine Providence Pope, approved and confirmed the decree of the Most Eminent Fathers, and ordered that it be made a matter of public law.

Given at Rome, at the headquarters of the Holy Office, 13 February 1953.

Marius Crovini, Notary

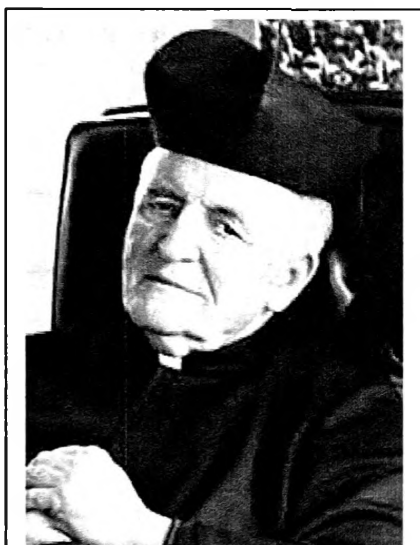
Another supporter of Father Feeney, Thomas Mary Sennott, in his book *They Fought the Good Fight*, likewise hints that the effect of the decree was open to question:

It is to be noted that this document does not contain the seal of the Holy Office, nor is it signed by Cardinal Pizzardo or the Holy Father. The only signature is that of a notary public. (256)

For an American, the phrase “notary public” summons up the image of the frizzy-haired, gum-chewing 18-year-old girl down at the bank who puts her notary stamp on your fishing license.

The reality here is quite a bit different. In legal systems based on Roman law, a “notary” is a type of lawyer. He does not merely witness signatures; he is trained and authorized to draw up complex legal documents. In the Curia, certain Notaries had the right to function in ceremonial positions of honor at the Solemn Papal Mass. (When none of them, presumably, chewed gum...)

The form of the decree against Fr. Feeney, in fact, was an *oraculum vivæ vocis* – a legal act the pope or a Roman congregation first gives orally in an audience or a Plenary Congregation.



Father Leonard Feeney (1897-1978),
expelled from the Jesuit order in
1949 and excommunicated in 1953

Such an act is taken down in writing by one of the curial officials present, who afterwards puts it into an appropriate legal form.

The act is then promulgated (as a decree, decision, declaration, etc.) under the signature of a Notary, who is giving official written testimony of what he has heard in the audience or congregation. His testimony is given full faith and credit, and the act is law.

One can find a treatment of this form of legislation in various commentaries on the Code of Canon Law.

The *oraculum vivæ vocis* is a standard form for many Roman decrees, including excommunications. For examples, see *Acta Apostolicæ Sedis*, XII (1920), 37; XIV (1922), 379-380; XXII (1930), 517-520.

The decree excommunicating Fr. Feeney thus followed the proper legal form. The technical defects his followers allege against it on these grounds are non-existent.

Did Paul VI Promulgate the *Novus Ordo* Solely in his Capacity as Patriarch of the West?

Q. I have seen you contend in an article that the obvious evil of the *Novus Ordo* on one hand, and the Church's infallibility in her universal disciplinary laws on the other, seen together, point toward a juridical loss of office on the part of the Paul VI and his successors. This, you say, proves the correctness of the *sede vacante* position.

However, did not Paul VI issue the *Novus Ordo* only in his capacity as Patriarch of the West (rather than as Supreme Pontiff), and then only for the Latin Rite? Could one say, then, that the *Novus Ordo* would *not* be a truly universal law, and hence *not* protected by infallibility?

A. While yours is indeed an intriguing question, the claim that a pope who promulgates liturgical legislation for the Latin Rite acts solely in his capacity as Patriarch of the West (rather than as Supreme Pontiff) appears to be entirely gratuitous. I could find no dogmatic tract or commentary on the Code, at any rate, which supported or even mentioned such a notion.

The term "universal," moreover, as applied to a church law, does not refer to the "rite" where a law has force, but rather to the territory where it has force. A standard pre-Vatican II commentary on the Code gives the following division for law:

III. By reason of its extension [*ambitus*] into: a) *universal*, which applies in the whole Catholic world; b) *particular* which has force in a certain limited territory only. (Wernz-Vidal, *Ius Canonicum* 1:50.)

The same commentary speaks of disciplinary laws which it terms "universal," even though Eastern Rites are automatically exempt from observing them:

Although Greek Catholics are indeed bound by definitions of Catholic doctrine regarding faith and morals, they are nevertheless not bound by disciplinary laws, *even universal ones*, unless something is laid down for them [the Greeks], or express mention is made of them, or unless the law for the matter regulated is implicitly extended to them also. (1:148. My emphasis.)

Further, in discussing the secondary object of the Church's infallibility, the authors treat liturgical laws for the Latin Rite as protected by infallibility, without any further qualification.

It would thus appear one could not "save" Paul VI by dismissing the errors and evils of his *Novus Ordo* as some sort of local aberration approved by him in his capacity as Patriarch of the West.

The "Patriarch of the West" argument, moreover – like other arguments traditionalists use in an attempt to defend Paul VI as a legitimate pope while simultaneously denouncing his Mass – run up against the anathema decreed by the Council of Trent:

If anyone says that the ceremonies, vestments, and outward signs, which the Catholic Church uses in the celebration of Masses, are incentives to impiety rather than the services of piety: let him be anathema. (Denzinger 954.)

He who maintains that Paul VI and his successors were indeed true popes should not *dare* to criticize the *Novus Ordo* – for the Catholic Church through her head on earth does not institute ceremonies and outward signs for celebrating Mass which are "incentives to impiety." Indeed, the Church solemnly anathematizes those who say otherwise.

But as all traditional Catholics know, the *Novus Ordo* is *neither* Catholic *nor* holy. Once someone arrives at this point and acknowledges the obvious – that the *Novus Ordo* is an incentive to impiety on the grandest possible scale – logic, and indeed Trent's anathema, compel him to deny that those who promulgated the liturgical changes possessed the authority of the Catholic Church.

Converts from the *Novus Ordo* and the “Sunday Obligation.”

Q. I worry about losing potential converts from the *Novus Ordo* because of the “Sunday obligation” question. Someone is revolted by the *Novus Ordo* and starts coming to my Mass. Then some new breed priest tells him that he is “not fulfilling his Sunday obligation” – as if Vatican II types believed in *that* any more. The potential convert starts to worry.

Do you have any suggestions on how to reassure such people?

A. If your convert already has already arrived at a firm conclusion that the *Novus Ordo* is irreverent and non-Catholic, you might approach the subject along the following lines:

The modern clergy sometimes claim that going to a traditional Latin Mass at a church not approved by the diocese does not fulfill the Sunday obligation or is a sin.

Implicit in such a statement is the notion that a Catholic is somehow “obliged” to go to the New Mass. This is dead wrong. Your first obligation is to honor God and save your soul. No one can legitimately oblige you to assist at a Mass that both dishonors God through its irreverence and endangers your salvation through undermining the Catholic faith.

As regards “sin,” if you’ve gone to the New Mass for a while, you’ve probably figured out that the modern clergy have just about managed to do away with the idea of sin. If going to the traditional Mass is a “sin,” it’s probably the only one the post-Vatican II clergy still believe in.

Ironically, the modern clergy’s pronouncements on the Sunday obligation are contradicted their own liberalized Code of Canon Law. The 1983 Code states that the Sunday obligation “is satisfied by assistance at a Mass which is celebrated anywhere in a Catholic rite.” (Canon 1248.1). A Mass the Church celebrated for centuries, obviously, has no difficulties qualifying as a Catholic rite.

Our situation today is akin to that of Catholics in 16th-

century England. Nearly all the bishops and priests in those days had adopted new doctrines – Protestantism – and attempted to impose a heretical new Mass on the faithful. Catholics ignored the innovators' laws and pronouncements which commanded them to fulfill their Sunday obligation at what was in fact a non-Catholic service. Instead, good Catholics sought out faithful priests who would provide them with a true Catholic Mass and with sound Catholic doctrine.

So too in our own days. Our churches and cathedrals are occupied by a clergy who promote a false doctrine and a non-Catholic form of worship. Like Catholics in 16th-century England, we have no obligation to follow the commands of a clergy which has publicly defected from the faith. However, since we have both the right and the obligation under divine law to sound doctrine and pure worship, we can and must seek out faithful Catholic priests who will provide what we need to save our souls.

IS SEDEVACANTISM “POPE-SIFTING”?

Rev. Anthony Cekada
Sacerdotium 16, Spring 1996

In early 1995 I published *Traditionalists, Infallibility and the Pope*, a short, non-polemical booklet setting forth the case for sedevacantism.¹

An explanation of the term “sedevacantism” may be in order. Traditional Catholics have tried to explain in various ways how the errors and evils of the officially-sanctioned Vatican II changes could come from what appears to be the authority of an infallible Church. The sedevacantist position maintains that the only coherent explanation for this state of affairs is to conclude that, since error and evil **cannot** come from the authority of an indefectible and infallible Church, the ecclesiastics who promulgated these changes – from pope on down – at some point **lost** their office and authority through personal heresy.²

The last point may surprise many Catholics. But an impressive list of pre-Vatican II theologians and canonists, as well as at least two popes (Innocent III and Paul IV) admit the principle behind it: That a pope, in his personal capacity, **can** defect from the faith or become a heretic. When the fact of his defection becomes manifest, such a pope automatically (*ipso facto*) loses his office and authority.

I cited numerous passages on this point in *Traditionalists, Infallibility and the Pope*. To my surprise, the booklet proved extremely popular and continues to receive a wide distribution throughout the world.

In October 1995 the Society of St. Pius X’s official U.S. publication, *The Angelus*, printed an article by Lazlo Szijarto entitled “Pope-Sifting: Difficulties with Sedevacantism.”

¹ pp. 359-384.

² The term “sedevacantist” comes from the Latin phrase *sede vacante*, the technical term for interregnum between popes when the papal see is vacant. In English, it is generally pronounced: SAY-day-va-CAHN-tist.

Mr. Szijarto wrote "Pope-Sifting"³ in response to my booklet. Since the Society has been promoting Mr. Szijarto's article as sort of a definitive refutation of my study, and since Mr. Szijarto himself asked me to comment, a public reply is in order.

The average layman who reads Mr. Szijarto's article may find it impressive, or at least intimidating. The main text is peppered with Latin quotes – and who's a simple layman to argue with Latin quotes? Grand-sounding general principles are confidently asserted. The footnotes, complex sentences, high-toned words ("criteriologically," "ontologically") and seemingly erudite quibbling (e.g., hand-wringing over how to translate "*quoad nos*") create an ambiance that the man in the pew associates with learned intellectual discourse.

But the layman should not be cowed by all this. Latin quotes, footnotes and high-toned jargon are sometimes just camouflage for what, upon close examination, turns out to be not simply a bad argument, but nonsense on stilts.

Mr. Szijarto's offenses are legion: he misrepresents opponents' positions, piles up utterly gratuitous assertions about various points of church law and ecclesiology, mistranslates and misapplies his sources' statements, provides inaccurate and unverifiable citations,⁴ tosses in sanctimonious personal attacks, tries to tar all sedevacantists with ridiculous opinions held by only a handful, and "puffs" (exaggerates) the authority of an opinion held by the theologian John of St. Thomas.

Mr. Szijarto's capital sin is a series of principles which he enunciates at the beginning of his article and which he makes the basis for his entire argument. Mr. Szijarto has not only aimed these principles at a sedevacantist straw man of his own devising, but also has created them on his

³ The curious title is a dig at sedevacantists, who objected to the St. Pius X Society's stated policy of "sifting" all the words and deeds of Paul VI and his successors, and then obeying only what the Society's superiors decided was "in accord with tradition."

⁴ E.g., footnote 10 cites to Hervé, *Manuale Theologiæ Dogmaticæ* (1943), I.514, where the passage Mr. Szijarto quoted is nowhere to be found.

own from an out-of-context quote which he has both mis-applied and mistranslated. This alone is utterly fatal to the rest of Mr. Szijarto's argument.

Since his article does, however, contain a number of other major errors, we will address four points here:

- 1) The false first principles Mr. Szijarto lays down about the "determination" that a pope has fallen from office.
- 2) His misapplication of the theologians' teachings on "dogmatic facts."
- 3) His manufacture of a non-existent conflict between sedevacantism and the doctrine of the Church's indefectibility.
- 4) His puffing of John of St. Thomas.

I. False First Principles

In the first paragraph of his article, Mr. Szijarto concedes that it is common teaching among theologians that a pope who defects from the faith or becomes a heretic, once the fact becomes manifest, automatically loses his office.⁵ He then adds:

Catholics, however, do not have the right to make a *determination* on their own *as to the fact* of whether a deposition has actually taken place in this manner.

Although manifest heresy would ontologically effect deposition *ipso facto*, a determination would have to be made by the Universal Church about that very fact embodied in the expression *ipso facto* – most probably through the declaration of a General Council – before individual Catholics *could arrive at such a conclusion* criteriologically.

[The Church] would have to do so before Catholics could make that determination for themselves. [His emphasis]

⁵ The editors of *The Angelus*, it should be noted, excised this concession when they printed Mr. Szijarto's article, probably because it undercuts the Society's party line. His original begins: "Theologians commonly hold..." The edited version begins: "Some theologians hold..."

These assertions, so confidently delivered, are hogwash.

A. The “Determination” Straw-Man

Mr. Szijarto, first of all, has set up a straw man by applying an equivocal term – “determination” – to two entirely different things, which he then falsely equates: (1) an individual sedevacantist’s **conclusion** that the Holy See is vacant, and (2) a General Council’s formal **legal declaration** that the Holy See is vacant.

It’s a clever sleight-of-hand, but a fundamentally dishonest argument – particularly so, given the pains I took at the end of my article to assure readers that a firm personal conclusion about the vacancy of the Holy See was **not**, and could not be, the same thing as an authoritative declaration from the Church.

B. Gratuitous Assertions

The first two of Mr. Szijarto’s statements quoted above are gratuitous. Where, for instance, is the list of authorities who support his sweeping universal statement that Catholics “have no right” to “determine” (i.e., conclude) that a deposition has taken place? Where are all the canonists who have said with Mr. Szijarto that a “determination” from the Universal Church would have to come before an individual Catholic could arrive at the conclusion “criteriologically”? – whatever *that* means.

C. A Misapplied Mistranslation

For the third assertion quoted above, Mr. Szijarto cites the theologian Hervé in a footnote, providing the Latin original and an English translation.

Even at first glance, the Hervé quote in the footnote appears irrelevant to the statement in Mr. Szijarto’s main text. Mr. Szijarto is speaking about who supposedly makes “determinations.” Hervé, on the other hand, appears to be

addressing the canonical technicality of how an office illegitimately occupied must first be officially declared vacant before proceeding to an election – apples and oranges, in other words.

This alone is bad enough. Comparing Mr. Szijarto's translation to the Latin and locating it in the original work, however, reveals that Mr. Szijarto has lifted the quote out of context, misapplied it and then mistranslated it.

The passage from Hervé is not, as Mr. Szijarto's article implies, from a discussion about who has the right to "determine" that a pope has fallen from office. Rather it is from the theologian's lengthy refutation of the arguments for conciliarism – the heresy that a General Council of the Church is superior to a pope.

The context in Hervé's work is as follows:⁶ (I) Refutation of the heretics' general claim for conciliar superiority. (II) Refutation of their misrepresentation of the Council of Constance. (III) Whether a Council, independent of a pope, can determine *anything* about the person of a pope regarding: (1) his election, or (2) his deposition.

Regarding deposition, Hervé enunciates the general principle that a General Council can in no way and for no reason depose a pope. In some detail, Hervé explains specifically why a Council cannot do this on grounds of a pope's (a) moral depravity, (b) heresy or (c) doubtful election.

Regarding heresy, Hervé recaps the standard teaching of theologians quoted in so many sedevacantist tracts – by heresy a pope puts himself outside the Church, and *ipso facto* loses his office. Hervé then returns to explain the role of a General Council in all this:

In that case, a Council (the Church) would **have only the right** to declare his see vacant so that the usual electors could safely proceed to an election.

A General Council, in other words, **can do no more** vis-à-vis a heretical pope than declare his see vacant. In context,

⁶ See Hervé, I.498-501.

Hervé offers this statement as part of a refutation of conciliarism.

Mr. Szijarto, however, mistranslates the Latin, and puts the “only” with the wrong word,⁷ thus completely changing the meaning of the passage to the following:

In that case, **only a Council** (the Church) would have the right to declare his see vacant so that the usual electors could safely proceed to an election.

There’s a world of difference, obviously, between saying “only a Council” has the right to declare the see vacant, and saying that a Council “would have only the right” to declare it vacant.

The starting point for Mr. Szijarto’s whole argument – “making determinations” – is thus based on a mistranslation.

II. Dogmatic Facts

The second principle Mr. Szijarto invokes against sedevacantism concerns “dogmatic facts.”

Broadly speaking, a dogmatic fact is some fact so closely connected with a dogma that it is necessary for establishing or correctly explaining that dogma.⁸

Theologians classify the legitimacy of a pope or a General Council among dogmatic facts, because only a **legitimate** pope or council can establish a dogma.

Theologians also teach that the Church is **infallible** when she has determined that a particular pope or General Council are legitimate. If it were otherwise, dogmas would be endangered.

⁷ The Latin, Hervé I.501, reads as follows: “Tunc Concilium [Ecclesia] ius tantum haberet sedem vacantem declarandi, ut ad electionem tuto procedere possent consueti electores.” The *tantum* (only, merely) modifies the verb *haberet* (would have). If the passage meant what Mr. Szijarto claims it does, the *tantum* would be next to *Concilium* (a Council), and would begin: “Tunc *Concilium tantum* [Ecclesia] jus haberet...”

⁸ Various theologians give slightly different definitions for the term.

To question, for instance, the legitimacy of Pius IX would imperil the dogma of the Immaculate Conception, which he solemnly defined. Similarly, to impugn the legitimacy of the Council of Trent would undermine the dogmas it defined on the Sacrifice of the Mass.

Mr. Szijarto paints sedevacantism as running afoul of this. Infallibility about dogmatic facts, he says, guarantees a pope's legitimacy beforehand. Sedevacantists reason backwards from a perceived "false" teaching to the non-legitimacy of a pope, making it possible for one to impugn the legitimacy of **any** pope, post- or pre-Vatican II. This renders any notion of infallibility impossible.

A. Apples and Oranges

Mr. Szijarto here is guilty of what logicians call the fallacy of *ignorantia elenchi* – arguing against apples when everyone else is talking about oranges.

His argument assumes that sedevacantists predicate their position on retroactively impugning the legitimacy of Paul VI's **election**. This is not really the case.

Montini may indeed have been legitimately elected pope; I myself have not seen any truly convincing arguments to the contrary. For me, as for most sedevacantists, the problems with Paul VI's legitimacy do not so much concern his **election** as his loss of office **after** election.

This issue has nothing whatsoever to do with infallibility and dogmatic facts.

B. A Missing Ingredient

Mr. Szijarto quotes the following passage from Hervé in an attempt to drive home his point about dogmatic facts:

What good would it be to profess the infallible authority of Ecumenical Councils or Roman Pontiffs in the abstract if it were permitted to entertain doubts about the legitimacy of any given Council or Pontiff?⁹

⁹ Citing Hervé, I.514.

Again Mr. Szijarto is picking something out of context. Two sentences before the foregoing passage, Hervé notes that a dogmatic fact concerning the legitimacy of a council or a pope is “principally **historical**.”¹⁰ The Church’s infallibility in this respect precludes challenging the legitimacy of **past** General Councils or pontificates that the Church has always accepted as legitimate.

In 1965, for example, no Catholic could have claimed that Pius IX had been illegitimately elected or that the Council of Trent had been illegitimately convoked, and that the pronouncements of either were therefore somehow null. The Church’s infallibility regarding these historical facts, connected as they are with her dogmas, prevented any error about legitimacy.

But the story in 1965 for Paul VI was different. While a dead pope can’t “lose” legitimacy (i.e., lose his office) a living one most surely can. He does so if he defects from the Catholic faith and that defection becomes manifest. This is what sedevacantists maintain happened to Paul VI.

The principle is, as Mr. Szijarto himself admitted, the common teaching of theologians. Yet he complains sedevacantists apply it *a posteriori* (from after the fact). Of *course* we do – that’s how all the authorities say it’s supposed to work.

If Mr. Szijarto thinks that the principle of automatic loss of office for heresy somehow undermines the Church’s infallibility regarding dogmatic facts, his quarrel is not with sedevacantists, but with the big-gun canonists and theologians such as St. Antoninus, St. Robert Bellarmine, St. Alphonsus, Wilhelm, Badii, Prümmer, Wernz-Vidal, Beste, Vermeersch-Creusen, Maroto, Coronata and Regatillo.¹¹ All we sedevacantists do is apply their teachings to Paul VI.

¹⁰ Hervé I.514: “Factum autem istud *triplex* distingui potest: 1) principaliter *historicum*, quo agnoscitur regula fidei, v.g., legitimitas concilii alicujus oecumenici aut Pontificis: - - De duobus ultimis tantum loquimur in præsenti, cum infallibilitas Ecclesiæ circa primum sponte defluat ex supradictis de concilio, de Pontifice et de ipsa Ecclesiæ indefectibilitate.” His emphasis.

¹¹ For which, see my original article.

C. Crossed-Out Popes

Based on his faulty understanding of the nature of a dogmatic fact, Mr. Szijarto argues that sedevacantism makes it possible to impugn the legitimacy of **any** pope in history (e.g., Pius XII, Pius XI, Benedict XV, Pius IX, even St. Peter), not just the post-Vatican II ones.

But since the dogmatic fact of legitimacy is (as we have seen) principally historical, the position of Pius XII and his predecessors is unassailable. At the same time, the Church's infallibility regarding the legitimacy of past popes does not preclude one from maintaining that a living pope has fallen from office – as sedevacantists did during the time of Paul VI.

On the positive side, Mr. Szijarto's error at least made for some amusing graphics¹² in the terminally somber *Angelus*, where most of the humor tends to be unintentional.

D. Which Dogma is in Peril?

One reason why the Church is infallible with dogmatic facts touching upon legitimacy is, as we have said, that Catholic dogmas would be imperiled otherwise.

What "Catholic dogmas" proclaimed by Paul VI and John Paul II are imperiled by impugning their legitimacy? That non-Catholic sects are means of salvation? That all men are saved? That liberty of conscience is divinely revealed?

It would be interesting to hear the answer. Mr. Szijarto?

III. Indefectibility

The third principle Mr. Szijarto appeals to is the indefectibility of the Church.

His argument runs as follows: Only the universal Church can make infallible judgments about a pope's legitimacy. A doubtful pope would be no pope only if the *whole* Church

¹² A picture chart of the popes with some crossed out.

seceded from him. Sedevacantism poses serious difficulties for the Church's indefectibility, which prevents the whole Church from either adhering to a false one or rejecting a true one. The Church enjoys infallibility with regard to the legitimacy of a pope. This leaves two alternatives: Either the Vatican II popes are legitimate or the Catholic Church resides only in sedevacantist groups.

A. Two Contradictory Principles

Mr. Szijarto's argument contains two propositions which implicitly contradict each other:

1. Only if the *whole* Church secedes from a pope is he a false pope. (= All must reject him.)
2. The *whole* Church cannot adhere to a false pope. (= Part can reject him, part can accept him.)

The first proposition implies that *part* of the Church **cannot** continue to adhere to someone who is a false pope; the second implies that part of the Church **can**.

Both propositions obviously cannot be true. The origin of this contradiction in Mr. Szijarto's argument can be traced to...

B. More Misapplied Quotes

The nexus of any discussion about sedevacantism is the issue of a **heretical** pope: Is such a thing possible? If so, what principles apply? Could Paul VI or John Paul be classified as such? etc.

But Mr. Szijarto, once again, offers quotes about apples to refute arguments about oranges.

Looking up the context of Mr. Szijarto's first two quotes (from Franzelin and Hervé) reveals that the authors are dealing not with the topic of a **heretical** pope (*papa hæreticus*), but rather with that of a **doubtful** pope (*papa dubius*) – issues the ecclesiology textbooks treat separately.

In both cases the authors are discussing schism, specifically the Great Western Schism (ca. 1378-1417), when several rival popes, each supported by his own faction, tried to claim the throne of Peter. The “doubt” did not concern the claimants’ personal orthodoxy, but the canonical issue of which of them was in fact the successor of Peter.

In the paragraph immediately preceding the passage Mr. Szijarto quotes, both Franzelin and Hervé do discuss the question of a **heretical** pope. Both admit that a heretical pope loses his office.¹³

Mr. Szijarto’s third quote cannot be verified (the second instance of this) because he provides an inaccurate citation.¹⁴ In any event, since the quote appears to be dealing with dogmatic facts, it is (based on what we have said in section II) likewise irrelevant to the discussion.

C. False Alternatives

At the end of his section on indefectibility, Mr. Szijarto presents two alternatives as his conclusion: Either the Vatican II popes are legitimate or the Catholic Church resides only in sedevacantist groups.

Since Mr. Szijarto has based these alternatives on contradictory principles and irrelevant citations, the choice he has constructed is completely false.

IV. John of St. Thomas

The fourth main section of Mr. Szijarto’s article is devoted to reproducing passages from the Spanish Dominican theologian John of St. Thomas (1589-1644).

¹³ J.B. Franzelin, *De Ecclesia Christi* (1907), 231: “- - vel spontanea defectione ab Ecclesia per manifestam et contumacem hæresim.” Franzelin adds that doubting whether, due to Christ’s promises, this could actually ever come about is “not without reason.” Mr. Szijarto reproduced the quote from Hervé I.501 in the passage he mistranslated.

¹⁴ Footnote 13 cites to A. Tanquerey *Synopsis Theologiæ Dogmaticæ* (1921) I.84, where the passage quoted is nowhere to be found.

The excerpts Mr. Szijarto quotes propose in essence that a heretical pope juridically remains head of the Church until a General Council declares the fact of his heresy. Until then, all the acts of such a pope are valid.

Mr. Szijarto praises this to the heavens. John of St. Thomas has dealt with the issue “brilliantly” and “ingeniously.” Thus, says Mr. Szijarto, “ontologically manifest” reality is reconciled with “juridically visible reality, i.e., criteriologically manifest – manifest in the true sense of the term.”(?)



A. An Abandoned Position

In Appendix 1 of *Traditionalists, Infallibility and the Pope*, I reproduced quotes from twelve canonists and theologians who taught that a manifestly heretical pope automatically falls from office.¹⁵ Six of them further specified that this loss of office takes place without the need for any declaration or sentence.

This authors characterize as “the common opinion” or even “the more common opinion.”

In his treatment of John of St. Thomas, Mr. Szijarto is merely promoting a minority opinion which later writers subsequently abandoned. It is absurd for him to portray it as a master-stroke which destroys the sedevacantist position. If canonists rejected, abandoned or ignored the position there must have been a reason.

It is possible that an explanation for this may be found in the two following points.

B. A Papal Law Contradicted

In 1559, in order to preclude the possibility of a heretic usurping the throne of Peter, Pope Paul IV issued the Bull *Cum ex Apostolatus Officio*. Paul IV decreed that if anyone elected

¹⁵ Some even though they thought it unlikely that God would ever permit such a thing to happen.

pope had beforehand deviated from the Catholic faith or fallen into any heresy, among other things, his election would be invalid, his appointments would be invalid, and he would automatically lose his office **without the need to make any further declaration**. (I reproduced the pertinent passages in my booklet.)

The opinion of John of St. Thomas that a declaration is needed before a pope loses office, obviously, cannot be defended in the face of a papal law which decreed emphatically and repeatedly that such a declaration is **not** required.

C. A Juridical Absurdity

While it may have been justifiable for John of St. Thomas to propose his solution under some provision of church law in force in the 17th century, it would be neither reasonable nor possible to propose it now.

Both the 1917 Code of Canon Law¹⁶ and John Paul II's 1983 Code¹⁷ (which I assume Mr. Szijarto accepts) specify that **only the Pope can convoke a General (Ecumenical) Council**. Under both codes, moreover, the pope sets the agenda, can dissolve the Council, and **must confirm and promulgate its decrees** for them to have binding force.

If one were to insist (as Mr. Szijarto does) that a heretical pope loses office only **after** a General Council declares him to be such, the law would require, to effect his deposition, that the heretical pope convoke a Council against himself, place the issue of his own deposition on the agenda, and then confirm and promulgate the Council's decrees declaring his own deposition.

This sort of cooperation would probably be too much to expect, even in the age of ecumenism.

The application of the principle Mr. Szijarto puts forward thus results in a juridical absurdity.

¹⁶ See Canon 222ff.

¹⁷ See Canon 338ff.

Mr. Szijarto, like many an apologist for the Society of St. Pius X's current position, deals with sedevacantism by distorting it and then attempting to refute the distortion. We have identified four main problems in his particular critique:

1. The underlying principle for Mr. Szijarto's argument (regarding "determination") is aimed at a straw man, and is based on a passage that Mr. Szijarto has both misapplied and mistranslated.
2. Mr. Szijarto misrepresents the nature of the "dogmatic fact" of legitimacy.
3. Mr. Szijarto bases his arguments regarding indefectibility upon quotes which in their original context refer to a *doubtful* pope, an issue irrelevant to a discussion of sedevacantism, which principally concerns the possibility of a *heretical* pope.
4. The opinion of John of St. Thomas, so highly praised by Mr. Szijarto, is an abandoned or (at best) minority position, which contradicts legislation solemnly promulgated in a papal bull, and which would produce the juridical absurdity of a heretical pope convoking a council against himself.

When I was a seminarian in Ecône, I heard Archbishop Lefebvre say many times that Paul VI's New Mass was a "spiritual poison that destroys the Catholic faith" – a proposition virtually all traditional Catholics would accept. But the authority of Christ's Church, infallible in promulgating universal disciplinary laws, **cannot** give a rite which destroys the faith. The only way to reconcile infallibility with such soul-destroying evil is to conclude that those who perpetrated it at some point defected from the faith, lost their authority before God, and hence were no popes at all.

NATURAL FAMILY PLANNING: ON RECENT CONDEMNATIONS OF NFP

Rev. Anthony Cekada

September 1998

Note: In Fall, 1998 the “Voice Crying in the Wilderness” newsletter, a widely-circulated traditionalist periodical, published an article condemning Natural Family Planning (NFP). The following is a letter to the Editor, written by Father Anthony Cekada. In addition to offering the traditional Latin Mass in Cincinnati and Columbus, Father Cekada is professor of canon law and pastoral theology at Most Holy Trinity Seminary, Warren, Michigan.

To the Editor:

This afternoon I spoke with a parishioner who was very upset over your article on Natural Family Planning (NFP).

I had to assure her (as I will probably have to assure others) that your comments were – and there is no diplomatic way to put this – presumptuous, ignorant and dangerous.

First, you have no business even offering an opinion on the morality of NFP, still less condemning it as sinful in a publication that you send out to tens of thousands of people.

One may indeed (as you do in other articles) catalogue, dissect and condemn the Modernists’ doctrinal errors, since so many of them are obvious and have already been condemned. But the morality of NFP is an issue for moral theology – the branch of theology which analyzes right and wrong, virtue and sin.

The subject matter of moral theology is vast and enormously complex, covering all the general principles of morality and all their particular applications. In the seminary moral theology is one of the major courses. It requires three or four years’ worth of classes conducted several times a

week to cover all the material.

Despite the length of this course, it can only impart to the priest-to-be the mere “basics” for the confessional and counselling. Priests who wrote on moral issues before Vatican II – and it was only priests who were permitted to become moral theologians – always had advanced degrees. Their books were carefully checked by their religious superiors and diocesan censors.

If moral theologians did any speculative writing, it never appeared in popular publications such as yours.

You have no training in, and no experience dealing with, a complex moral question like NFP. We traditional Catholic priests have studied moral theology and we apply it in the confessional and in counselling. Leave such matters to us – and leave our people alone.

Second, although moral theology manuals emphasize that NFP is not a topic one should discuss in sermons or mass-circulation publications, *The Angelus*, *The Remnant*, and your own publication have spread some dangerous errors on the issue, and it is necessary that someone correct them, lest Catholics wrongly conclude they are committing mortal sin.

The moral aspect of NFP and periodic continence may be summed up as follows:

1. General Principles

- Spouses are free to choose whatever time they want to exercise their marriage right or abstain from exercising their marriage right by mutual consent.
- Conversely, they are not obliged to exercise their right during fertile periods, or abstain during sterile periods.
- Deliberately to limit marital relations to sterile periods to avoid conception is morally lawful in actual practice, provided the requisite conditions are met.
- Family limitation without good and sufficient rea-

son involves a degree of moral fault.

- Periodic continence is morally permissible because it fulfills the other ends of marriage (mutual love and fidelity, alleviation of concupiscence) and because it does not physically hinder the natural processes of conception.

2. Requisite Conditions

- Mutual consent or willingness of the spouses.
- Ability properly to observe periodic continence without danger of sin.
- Sufficient justification or cause, just and grave, either medical, eugenic, economic, or social, which justifications are outlined by various theologians.

3. Gravity of the Various Obligations

- The issues involved with NFP were not fully discussed by pre-Vatican II theologians.
- The gravity of an obligation (if any) to exercise the marriage right during fertile periods was not clearly established.
- Neither was the gravity of the unjustifiable use of periodic abstinence.

Do not presume that the defection of the post-Vatican II hierarchy gives you the right to settle all this, and then tell Catholic couples they are committing sin. Your article was ill-advised and very harmful. I suggest you issue a retraction and an apology to your readers.

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REV. ANTHONY CEKADA



Don't Get Me Started!
Collected Writings 1979-2019



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Rev. Anthony Cekada

Don't Get Me Started!

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DID PAUL VI ILLEGALLY PROMULGATE THE NEW MASS?

Canon Law and a Popular Traditionalist Myth

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Most Catholics who abandon the New Mass do so because they find it evil, irreverent or non-Catholic.

Instinctively, though, the Catholic knows that the Church of Christ *cannot* give us something evil, since the Church would then be leading us to hell, rather than heaven.

Catholic theologians, indeed, teach that the Church's universal disciplinary laws, including laws governing the sacred liturgy, are **infallible**. Here is a typical explanation from the theologian Herrmann:

The Church is infallible in her general discipline. By the term general discipline is understood the laws and practices which belong to the external ordering of the whole Church. Such things would be those which concern either external worship, such as **liturgy and rubrics**, or the **administration of the sacraments** - -

If she [the Church] were able to prescribe or command or tolerate in her discipline something against faith and morals, or something which tended to the detriment of the Church or to the **harm of the faithful**, she would turn away from her divine mission, which would be impossible.¹

Sooner or later, then, the Catholic faces a dilemma: The New Mass is evil, but those who commanded us to use it (Paul VI, *et al.*) supposedly possessed the very authority of Christ. What should one do? Accept evil because of authority, or reject authority because of evil? Choose sacrilege, or choose schism?

¹ P. Herrmann, *Institutiones Theol. Dogm.*, Rome: 1904, 1:258. My emphasis. Other theologians such as Van Noort, Dorsch, Schultes, Zubizarreta, Irragui and Salaveri explain the teaching much the same way. For full quotes and citations, see my study *Traditionalists, Infallibility and the Pope* (vol. I, pp. 377-381)

How does a Catholic resolve this seeming dilemma – that Church authority commands evil?

Over the years, essentially only two explanations have been proposed:

1. Paul VI, who promulgated the New Mass, lost papal authority.

The argument is as follows: Once we recognize that the New Mass is evil, or harms souls, or destroys the faith, we therefore also implicitly recognize something else: Paul VI, who promulgated (imposed) this evil rite in 1969, **could not have possessed true authority** in the Church when he did so. He somehow lost papal authority, if indeed he possessed it in the first place.

How could this have come about? Defection from the faith, according to the teaching of at least two popes (Innocent III and Paul IV) and nearly all Catholic canonists and theologians, brings about automatic loss of papal office.

The evil of the New Mass, according to this argument, is like a giant neon arrow pointing back at the post-Vatican II popes and flashing the words: “No papal authority. Defectors from Catholic Faith.”

2. Paul VI possessed papal authority, but did not promulgate the New Mass lawfully.

This position argues that Paul VI **did not follow the correct legal forms** when he promulgated the New Mass. The New Mass, then, is not really a universal law, so we are not obliged to obey the legislation which supposedly imposed it; thus, the infallibility of the Church is “saved.”

The theory has been extremely popular in the traditionalist movement since its beginnings in the 1960s.

This, it must be said, is the have-your-cake-and-eat-it-too argument. It allows you to “acknowledge” the pope, but ignore his laws, denounce his New Mass, and keep the old Mass. It reassures simple souls fearful of schism that they are, despite appearances, still “loyal to the Holy Father.”

I have treated the first position in my study *Traditionalists, Infallibility and the Pope*.² Here I will discuss the second position, and outline the considerable difficulties it presents as regards logic, church authority and canon law.

SSPX and “Illegal Promulgation”

While many traditional Catholics adhere to the position that the New Mass was illegally promulgated, advocates are especially numerous among the members and supporters of Archbishop Marcel Lefebvre’s Society of St. Pius X (SSPX).

The theory fits neatly into what one can only term the Society’s Jansenist/Gallican concept of the papacy: The pope is “recognized,” but his laws and teachings must be “sifted.” You get all the sentimental benefits of theoretically *having* a pope, but none of the practical inconveniences of actually *obeying* him.

(Over the years the position’s emotional appeal for the laity has meant a fundraising bonanza for SSPX. This old Gallican goose really lays the golden egg.)

The Standard Arguments

For an explanation of the second position, therefore, we turn to two articles by SSPX’s former U.S. District Superior, the Rev. François Laisney.

Father Laisney characterizes the New Mass as “evil in itself,”³ and a danger to the Catholic faith.⁴ He acknowledges in a general sense the principle upon which the first position is based – the Church cannot give a universal law that is evil or harmful to souls.

But, he argues, “the full strength of papal authority *was*

² See Vol. I, pp. 359-384.

³ “Where Is the True Catholic Faith? Is the Novus Ordo Missæ Evil?” *Angelus* 20 (March 1997) 38. Of course, it is hardly necessary to read the article in order to discover how SSPX answers the *first* question...

⁴ “Was the Perpetual Indult Accorded by St. Pius V Abrogated?” *Angelus* 22 (December 1999) 30-31.

not engaged in the promulgation of the New Mass,”⁵ and that “Pope Paul VI did not oblige the use of his [New] Mass, but only permitted it - - There is no clear order, command, or precept imposing it on any priest!”⁶

He makes following arguments – they are typical of those who hold this position – against the legality of Paul VI’s promulgation of the New Mass:

- “The *Novus Ordo Missæ* was not promulgated according to the proper canonical form by the Sacred Congregation of Rites.”
- “A decree of the Sacred Congregation of Rites imposing the new Mass is not in the *Acta Apostolicæ Sedis* (the official organ of the Catholic Church announcing new ordinances over the Church).”
- “In later editions of the New Mass [this 1969 Decree] is replaced by a second decree (March 26, 1970) only *permitting* the use of the New Mass. This second decree which only permits – not orders – its use is in the *Acta Apostolicæ Sedis*.”
- In a 1971 Notification on the New Mass from the Congregation for Divine Worship, “one cannot find in this text any clear prohibition for any other priest to use the traditional Mass nor an obligation to celebrate only the New Mass.”
- Another Notification in 1974, says Father Laisney, *does* impose an obligation – but it does not appear in the *Acta*, and does not say Paul VI approved it, so it has no binding force.
- “Confused legislation” characterizes these reforms. “In this one sees precisely the assistance of the Holy Ghost to the Church, because He did not allow the modernists to properly promulgate their reforms with perfect legal force.”

⁵ “Where is...?” 34. His emphasis.

⁶ “Where is...?” 35.

Father Laisney then presents his conclusion: “The *Novus Ordo Missæ* was promulgated by Pope Paul VI with so many deficiencies and especially **lacking even the proper juridical language to oblige** all priests and faithful, that it **cannot claim to be covered by the infallibility of the Pope in universal laws.**”⁷

To assess Father Laisney’s claims, we will assume, as Father Laisney does, that Paul VI was indeed a true pope who, as such, possessed full legislative authority over the Church. This will allow us to hold Father to the objective criteria found in canon law which would flow from that assumption.

We will then demonstrate, by examining general principles of canon law and the specific legislative texts at issue, that Father Laisney’s arguments and conclusions are false on every point.

What is “Promulgation”?

To “promulgate” a law means nothing more than to announce it publicly.

The essence of promulgation is the **public proposal** of a law to the community by the lawmaker himself, or on his authority, **so that the will of the lawmaker to impose an obligation can become known** to his subjects.⁸

The Code of Canon Law simply says: “Laws enacted by the Holy See are promulgated by their publication in the official commentary *Acta Apostolicæ Sedis*, unless in particular cases another mode of promulgation is prescribed.”⁹

This is all that the Code requires and it suffices to make known the will of the legislator, the pope.

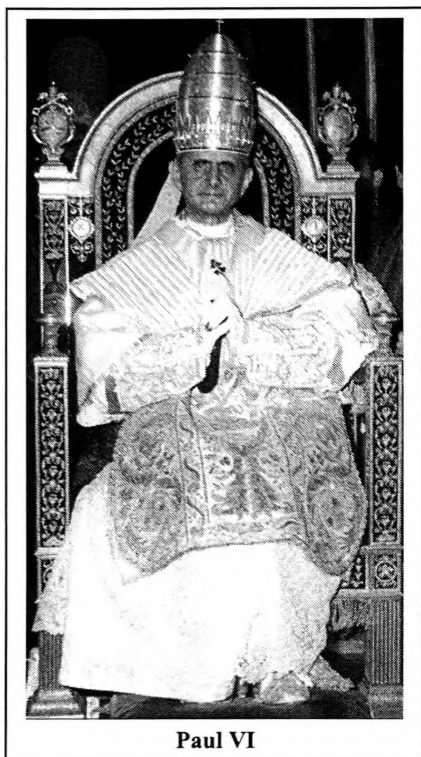
Unless another provision has been made in a particular law itself, a law becomes effective (binds) three months after

⁷ “Where is...?” 35-36. My emphasis.

⁸ M. Lohmuller, *Promulgation of Law* (Washington: CUA Press 1947), 4.

⁹ Canon 9. “Leges ab Apostolica Sede latæ promulantur per editionem in *Actorum Apostolicæ Sedis commentario officiali*, nisi in casibus particularibus alius promulgandi modus fuerit præscriptus.”

its official publication date in the *Acta*.¹⁰ The intervening period before the effective date is called the *vacatio legis*.



A Missing Decree?

The New Mass (*Novus Ordo Missæ*) appeared in stages. The Vatican first published the new Ordinary in a small booklet in 1969, along with the General Instruction on the Roman Missal (a doctrinal and rubrical preface).¹¹

In the front of this booklet appear Paul VI's lengthy Apostolic Constitution on the New Mass, *Missale Romanum*, and the 6 April 1969 Decree *Ordine Missæ* from the Congregation of Sacred Rites (Consilium).

The Decree, signed by Benno Cardinal Gut, states that

Paul VI approved the accompanying Order of Mass and that the Congregation was promulgating it by his special mandate. It set 30 November 1969 as the effective date for the legislation.

For reasons unknown, however, this Decree was never published in the *Acta*. And so Fr. Laisney and countless others contend this omission means that the New Mass was, therefore, never “duly promulgated,” and thus obliges no one.

But the argument over this bureaucratic slip is a red her-

¹⁰ Canon 9. “Et vim suam exserunt tantum expletis tribus mensibus a die qui *Actorum* numero appositus est, nisi ex natura rei illico ligent aut in ipsa lege brevior vel longior vacatio specialiter et expresse fuerit statuta.”

¹¹ *Ordo Missæ*: Editio Typica (Typis Polyglottis Vaticanis: 1969). The new order of Scripture readings appeared in May 1969. The full Missal, containing the new Orations for Sundays, seasons and feasts, would appear only in 1970.

ring. The key question in canon law about the promulgation of any law is the **will of the legislator**. In this case, **did Paul VI manifest his will to impose on his subjects an obligation** (i.e. the New Mass)? And moreover, did he do so in the *Acta*?

Paul VI's Apostolic Constitution

The question is easily answered. In the 30 April 1969 *Acta Apostolicæ Sedis* we find the Apostolic Constitution *Missale Romanum*, bearing Paul VI's signature. Its heading: "Apostolic Constitution. By which the Roman Missal, restored by decree of Vatican Ecumenical Council II, is **promulgated**. Paul, Bishop, Servant of the Servants of God, for an Everlasting Memorial."¹²

The legislation, obviously, then meets the simple canonical norm for promulgation. The Supreme Legislator needs no Decree from a Cardinal for his law to "take." The New Mass is promulgated, and the law is binding.

In the text of the Constitution, moreover, Paul VI makes it abundantly clear that his will is to **impose the obligation of a law** on his subjects. Note in particular his language in the following passages:

- The General Instruction preceding the New Order of Mass "**imposes new rules** for celebrating the Eucharistic sacrifice."¹³
- "**We have decreed** that three new Canons be added to this Prayer [the Roman Canon]."¹⁴
- "**We have ordered** that the words of the Lord be one and the same formula in each Canon."¹⁵

¹² AAS 61 (1969) 217-222.

¹³ "...novas normas - - proponi." The verb employed ("proponi") has the postclassical sense of "to impose," as in "impose a law." See Lewis & Short, *A New Latin Dictionary* 2nd ed. (New York: 1907) 1471, col. 2.

¹⁴ "ut eidem Precationi tres novi Canones adderentur statuimus." "Statuo" with "ut" or "ne" has the sense of "decree, order, prescribe." See Lewis & Short, 1753, col. 3.

¹⁵ "iussimus."

- “And so, it is **Our will** that these words be thus said in every Eucharistic Prayer.”¹⁶
- “All of which things **we have prescribed** by this, Our Constitution, shall begin to take effect from 30 November of this year.”¹⁷
- “**It is Our will** that these laws and prescriptions be, and they shall be, firm and effective now and in the future.”¹⁸

The standard Latin canonical terms a pope customarily employs to make a law are all present here: *normæ, præscripta, statuta, proponimus, statuimus, jussimus, volumus, præscripsimus*, etc.

Same Terms as Quo Primum

This language is important for another reason: Some of it also appears in *Quo Primum*, the 1570 Bull by which Pope St. Pius V promulgated the Tridentine Missal.

Father Laisney, like many others, claims that Paul VI’s legislation did not impose an obligation. Rather, Paul VI merely “presented” or “permitted” the New Mass.¹⁹

This is false. Both *Quo Primum* and Paul VI use identical “lawmaking” terms in key passages: *norma, statuimus* and *volumus*.

The Benedictine canonist Oppenheim says these are “preceptive” words that “clearly *indicate a strict obligation*.”²⁰

If such words made Pius V’s *Quo Primum* obligatory, they did the same for Paul VI’s *Missale Romanum*.

¹⁶ “volumus.”

¹⁷ “Quæ Constitutione hac Nostra præscripsimus vigere incipient.”

¹⁸ “Nostra hæc autem statuta et præscripta nunc et in posterum firma et efficacia esse et fore volumus.”

¹⁹ “Perpetual Indult,” 30.

²⁰ P. Oppenheim, *Tractatus de Iure Liturgico* (Turin: Marietti 1939) 2:56. “verba autem - - ‘statuit,’ - - ‘præcepit,’ ‘jussit,’ et similia, *manifeste strictam obligationem denotat*.” (His emphasis.)

“It is Our Will...”

Earlier, we quoted the following passage as evidence that Paul VI intended to promulgate a law to bind his subjects:

It is Our will [*volumus*] **that** these laws and prescriptions be, and they shall be, firm and effective now and in the future.²¹

The first English translations rendered the Latin verb *volumus* as “We wish that.” Some priests and writers then argued that Paul VI was only wistfully “wishing” that Catholics would employ the New Mass – rather like wishing upon a star.

But in *Quo Primum*, St. Pius V uses the **identical verb** to impose the Tridentine Missal:

It is Our will [*volumus*], however – and We decree by that same authority – **that**, after the publication of the Missal and this, Our Constitution, priests present in the Roman Curia - - be obliged to chant or read Mass according to this Missal.²²

In both cases, the verb *volumus* expresses the essence of Church law-making: the legislator’s **will to impose an obligation** on his subjects.²³

Paul VI Revokes Quo Primum

Father Laisney trots out yet another old canard:²⁴ the tale that Paul VI did *not* abrogate (revoke) St. Pius V’s Bull *Quo Primum*.²⁵

²¹ Lest someone claim that it is unclear what this passage refers to, note that among the “statuta et præscripta” preceding it were the “new rules imposed” by the General Instruction (“novas normas - - proponi,” see fn. 13 above) for the celebration of Mass.

²² “Volumus autem et eadem auctoritate decernimus, ut post hujus Nostræ constitutionis, ac Missalis editionem, qui in Romana adsunt Curia Presbyteri, post mensem - - juxta illud Missam decantare, vel legere teneantur.”

²³ See Lewis & Short, *A New Latin Dictionary*, 2004, col. 1; 2006, col. 2. “of the wishes of those that have a right to command - - it is my will.”

²⁴ Canard = a hoax. It’s also French for “duck” – highly appropriate here, because this particular duck (like the Gallican goose) never permanently “goes south.”

²⁵ “Perpetual Indult,” 28-29.

Advocates of this position sometimes cite a passage in the Code which states that “a more recent law given by competent authority, abrogates a former law, if it *expressly* orders abrogation.”²⁶

Paul VI, the argument goes, did not mention *Quo Primum* by name, so he did not **expressly** abrogate it. *Quo Primum*, then, never lost its force, and we are all still free to celebrate the old Mass.²⁷



But proponents of this notion are engaging in wishful thinking. *Expressly*, in the canon quoted above, does not just mean “by name.”²⁸ A legislator may “expressly” revoke a law in another way – and this is what occurred here, when Paul VI, after he gave his *volumus* to the New Mass, added the following clause:

Notwithstanding, to the extent necessary, the Apostolic Constitutions and Ordinances of Our Predecessors, and other prescriptions, even those worthy of special mention and amendment.²⁹

This clause **expressly** abrogates *Quo Primum*.

First, the Bull *Quo Primum* falls into the category of the most solemn type of pontifical legal Act – a Papal or Apos-

²⁶ Canon 22. “Lex posterior, a competenti auctoritate lata, obrogat priori, si id expresse edicat, aut sit illi directe contraria, aut totam de integro ordinet legis prioris materiam; sed firmo præscripto - -” (My emphasis.) The translation is Fr. O’Hara’s in the Cicognani commentary.

²⁷ The discussion often centered around various technical canonical terms – abrogation, obrogation, derogation and subrogation. Participants usually didn’t have a clue as to what they were talking about. But this was somewhat understandable: Even expert commentators on the Code are not always consistent with these terms.

²⁸ If the legislator’s intent had been such, he could have used the Latin term for “by name” (*nominatim*) instead of the actual term “expressly” (*expresse*).

²⁹ “- non obstantibus, quatenus opus sit, Constitutionibus et Ordinationibus Apostolicis a Decessoribus Nostris editis, ceterisque præscriptionibus etiam peculiari mentione et derogatione dignis.”

tolic Constitution.³⁰ And in the passage quoted from Paul VI's Apostolic Constitution, he specifically revokes the "**Apostolic Constitutions**" of his predecessors.

Second, in order to revoke a law *expressly*, a pope is not required to mention it by name. Express revocation also takes place, says the canonist Cicognani, if the legislator inserts "abrogatory or derogatory clauses, as is common in decrees, rescripts, and other pontifical acts: *notwithstanding anything to the contrary, notwithstanding in any respect anything to the contrary, though worthy of special mention.*"³¹

Paul VI, in other words, used the *exact* type of language required to expressly revoke a prior law.

And in so doing, Paul VI again used some of the **same phrases St. Pius V employed** in *Quo Primum* to revoke liturgical laws of his predecessors:

Notwithstanding preceding Apostolic constitutions and ordinances - - and whatever laws and customs there be to the contrary.³²

Again, if this language worked in 1570, it also worked in 1969.³³

In light of all the foregoing, one cannot continue to promote the myth that Paul VI's legislation did not expressly

³⁰ See A. Cicognani, *Canon Law*, 2nd ed. (Westminster MD: Newman 1934) 81ff. "Papal Constitutions are Pontifical Acts which have the following characteristics: (1) they come immediately from the Supreme Pontiff, (2) they are presented *motu proprio*, (3) the solemn form of a Bull is attached to them, (4) they deal with matters of greater importance, namely, the welfare of the Church or the greater part thereof."

³¹ *Canon Law*, 629. (His emphasis.)

³² *Non obstantibus præmissis, ac constitutionibus, et ordinationibus Apostolicis - - statutis et consuetudinibus contrariis quibuscumque.*"

³³ In the 1980s, SSPX circulated a classic "Roman whispers" story: a group of canonists, convoked by the Vatican, had supposedly studied the legal status of the old Mass, and concluded that *Quo Primum* had never been abrogated. Even if true, the point is moot: 1) The legislator issued no authoritative and interpretive decree to that effect. 2) Abrogation is the only conclusion possible after examining the decrees the Vatican did promulgate. 3) The legislator (the modernist Vatican) allows the traditional Mass only by an indult – a faculty or favor granted temporarily, either contrary to the law or outside the law. If the old law were not abrogated, an indult would be unnecessary.

abrogate *Quo Primum*.

As for the other mistaken notions circulated about *Quo Primum*, these will be dealt with in a subsequent article.

The Obvious Conclusion

The technical law-making language, enumeration of specific laws, the setting of an effective date, language revoking his predecessors' Apostolic Constitutions, and the legislator's explicit expression of **his will to impose these laws** – nothing, it would seem, could be clearer. Paul VI is establishing a law here.

All this is lost on Father Laisney. "There is no clear order, command, or precept imposing it on any priest," he says, adding that Paul VI "does not say" what a priest should do on the effective date.³⁴

Ah, well – if the language of Paul VI's Constitution is not sufficiently "clear," we turn to subsequent legislation published in the *Acta Apostolicæ Sedis*.

Once again, Paul VI clearly manifests his will – not only to impose his New Mass, but also quite specifically to **forbid** the old rite.

The October 1969 Instruction

The Instruction *Constitutione Apostolica* (20 October 1969) bears the title: "On gradually implementing the Apostolic Constitution *Missale Romanum*."³⁵

The general purpose of the document was to resolve certain practical problems: the bishops' conferences were not able to complete vernacular translations of the new rite in time for the 30 November date Paul VI had prescribed as the effective date for the New Mass.

The Instruction begins by enumerating the three parts of the new Missal already approved by Paul VI: the *Ordo Missæ*, the General Instruction and the new Lectionary, and

³⁴ "Where is...?" 35, and fn.

³⁵ AAS 61 (1969) 749-753. "gradatim ad effectum deducenda."

then states:

The foregoing documents **decreed** that, from 30 November of this year, the First Sunday of Advent, **the new rite and the new text be used.**³⁶

To meet the practical problems this posed, the Congregation for Divine Worship, **“with the approval of the Supreme Pontiff, establishes the following rules.”**³⁷

Among the various regulations are the following:

- “The individual conferences of bishops shall also **establish the day** from which (except for mentioned cases in paragraphs 19-20) it shall become **obligatory to employ** the [new] Order of Mass. This date, however, shall not be deferred beyond 28 November 1971.”³⁸
- “The individual conferences of bishops shall **decree** the day from which use of the texts of the new Roman Missal (except for mentioned cases in paragraphs 19-20) **shall be prescribed.**”³⁹

The exceptions were for older priests who offered private Mass and who experienced difficulties with the new texts or rites. With permission of the Ordinary they could continue to use the older rite.

The Instruction ends with the following statement:

On 18 October 1969 the Supreme Pontiff, Pope Paul VI, **approved** this Instruction, **ordered it to become public law**, so that it be faithfully observed by all those to whom it applies.⁴⁰

³⁶ “statuitur ut - - adhibeantur.”

³⁷ “approbante Summo Pontifice, eas quæ sequuntur statuit normas.”

³⁸ “diem - - constituent.” “necesse erit usurpare.”

³⁹ “decernant.” “adhiberi jubebuntur.” Lest someone claim these paragraphs mean that bishops’ conferences, not Paul VI, “promulgated” the New Mass, we point out that the provisions merely delegate the power to extend the *vacatio legis* – again, the period between which a law is promulgated and when it takes actual effect.

⁴⁰ “Præsentem Instructionem Summus Pontifex Paulus Pp. VI die 18 mensis octobris 1969 approbavit, et publici juris fieri jussit, ut ab omnibus ad quos spectat accurate servetur.”

Here once again, we find the “preceptive” words of church lawmaking which, as Oppenheim says, clearly indicate a strict obligation – in this case, to employ the New Order of Mass no later than 28 November 1971.

The March 1970 Decree

The Decree *Celebrationis Eucharistiæ* (26 March 1970) is entitled: “The new edition of the Roman Missal is promulgated and declared the *editio typica*.”⁴¹

This Decree accompanied the publication of the new Missal of Paul VI, which contained the previously-approved New Order of Mass, a revised General Instruction, and all the new Orations for the whole liturgical year.

It, too, contains the preceptive language of papal law-making:

This Sacred Congregation for Divine Worship, **by the mandate of the same Supreme Pontiff, promulgates** this new edition of the Roman Missal, prepared according to the decrees of Vatican II, and declares it the typical edition.⁴²

Need one belabor the obvious? The New Missal is **the law**, by the command of Paul VI.

The June 1971 Notification

The Notification *Instructione de Constitutione* (14 June 1971) is entitled “On the use and the beginning of the **obligation** of the new Roman Missal, [Breviary], and Calendar.”⁴³

This Notification, like the October 1969 Instruction, addresses some of the practical difficulties which delayed implementing the new liturgical legislation.

⁴¹ AAS 62 (1970), 554.

⁴² “de mandato ejusdem Summi Pontificis - - promulgat.”

⁴³ AAS 63 (1971) 712-715.

Having attentively considered these things, the Sacred Congregation for Divine Worship, **with the approval of the Supreme Pontiff, lays down the following rules** on the use of the Roman Missal.⁴⁴

It orders that in any given country, “from the day on which the translated texts **must be used** for celebrations in the vernacular, **only the revised form of the Mass** and [the breviary] **will be allowed, even for those who continue to use Latin.**”⁴⁵

The plain sense of the text is that the new rite *must* be used, the traditional rite is *forbidden*; the pope wills it, and all must obey.

The October 1974 Notification

Finally, there is the Notification *Conferentia Episcopali* (28 October 1974).⁴⁶

This specifies again that when a bishops’ conference decrees that a translation of the new rite is obligatory, “Mass, whether in Latin or the vernacular, **may be celebrated lawfully only** according to the rite of the Roman Missal promulgated 3 April 1969 by authority of Pope Paul VI.”⁴⁷ The emphasis on the word “only” (*tantummodo*) is found in the original.

Ordinaries must ensure that all priests and people of the Roman Rite, “**notwithstanding the pretense of any custom, even immemorial custom**, duly accept the Order of Mass in the Roman Missal.”⁴⁸

⁴⁴ “approbante Summo Pontifice, quæ sequuntur statuit normas.” In English, “norm” has a weak sense of a mere idealized guideline. But in Latin, “norma” means a law, a rule, a precept. Thus, first Book of the Code of Canon Law is denominated “Normæ generales.”

⁴⁵ “assumi debebunt, tum iis etiam qui lingua latina uti pergunt, instaurata tantum Missæ et Liturgiæ Horarum forma adhibenda erit.”

⁴⁶ *Notitiæ* 10 (1974), 353.

⁴⁷ “tunc sive lingua latina sive lingua vernacula Missam celebrare licet *tantummodo* juxta ritum Missalis Romani auctoritate Pauli VI promulgati, die 3 mensis Aprilis 1969.” Original emphasis.

⁴⁸ “et nonobstante prætextu cujusvis consuetudinis etiam immemorabilis.”

Again, it is obvious that the New Mass has been duly promulgated and is obligatory: there are no exceptions.

Father Laisney admits that this Notification lays down an obligation to celebrate the New Mass. However, he dismisses its legal effect because it did not appear in *Acta Apostolicæ Sedis* and because it does not state it was ratified by the Sovereign Pontiff.⁴⁹

Father Laisney, alas, has misunderstood yet another principle of the Code regarding promulgation.

First, the Notification is not a **new law**. It is what canonists term an “authoritative and declarative **interpretation**” of a previous law. This, according to the Code, “merely declares the meaning of the words of the law that were certain in themselves.” In such a case: “The interpretation **need not be promulgated**, and has retroactive effect.”⁵⁰ It has force, in other words, **without** publication in the *Acta*.

And second, even though, strictly speaking, such a pronouncement would not need the express consent of the pope, Paul VI did nevertheless approve the final text of the Notification.⁵¹

No Immemorial Custom

The Notification addresses an interesting side issue: A number of traditionalist writers who insisted that they recognized the authority of Paul VI nevertheless claimed that “immemorial custom” allowed them to retain the old rite and reject Paul VI’s New Mass.

On the face of it, this assertion makes no sense. Priests celebrated the traditional Mass because a Pope promulgated a **written law** prescribing it. **Custom** is a mere usage or **unwritten law**, which can be in accord with, contrary to, or beyond the written law.

⁴⁹ “Where is...?” 36.

⁵⁰ Canon 17.2. “et si verba legis in se certa declarent tantum, promulgatione non eget et valet retrorsum.”

⁵¹ A Bugnini, *La Riforma Liturgica* (1948-1975), (Rome: CLV-Edizioni Liturgiche 1983) 298: “Il testo definitivo fu approvato dal Santo Padre, il 28 ottobre 1974, con le parole “Sta bene. P.”

The Notification, in any case, states that the New Mass is obligatory “**notwithstanding the pretense of any custom, even immemorial custom.**”

According to the Code, “a law does not revoke centenary or immemorial customs, unless it makes express mention of them.”⁵²

But canonists state that a “notwithstanding” (*nonobstante*) clause like the foregoing does indeed expressly revoke an immemorial custom.⁵³ So, even if one *could* make a case that the old Mass constituted an immemorial custom, the Notification duly revoked it – dismissing the notion, moreover, as a “pretense.”

But this merely brings us to what is in fact the *real* issue behind the dispute over whether Paul VI “illegally” promulgated the *Novus Ordo*:

Who Interprets a Pope’s Laws?

For SSPX and many others, alas, the answer to this question is “anyone but the pope.”

Father Laisney informs us, for instance, that Paul VI did not engage “the same plenitude of power” in his Apostolic Constitution as Pius V did in his. Paul VI did not mention the “nature of an obligation,” its “subject,” its “gravity.”⁵⁴

Father Laisney’s argument is footnote-free. So, we are not able to identify the canonists who propose these distinctions and criteria – to which each Catholic, lay or clerical, may evidently appeal in order to decide for himself whether he is bound by an Apostolic Constitution signed by the Supreme Pontiff of the Universal Church.

The swarms of expert canon lawyers in the Roman Curia who compose papal decrees could not (we are expected to believe) draft a legal text adequate to the simple juridical task

⁵² Canon 30. “- - consuetudo contra legem vel præter legem per contrariam consuetudinem aut legem revocatur; nisi expressam de iisdem mentionem fecerit, lex non revocat consuetudines centenarias aut immemorabiles.”

⁵³ See Cicognani, 662-3.

⁵⁴ “Perpetual Indult,” 30-31.

of making a new rite of Mass obligatory. And this, mind you, not even after *five* attempts – an Apostolic Constitution and four (count ‘em!) Curial pronouncements implementing the Constitution.

Instead, lay controversialists and lower clergy throughout the world are free to judge the Supreme Legislator to be juridically inept in promulgating his own laws, and then to refuse him submission for decades on end.

Canon-Law Protestants?



French supporters of the Jansenist sect in the 1700's

Father Laisney's approach to a pope's laws, and that of this theory's other adherents is, in fact, "Canon-Law Protestantism" – interpret selected passages as you see fit, and no pope is ever going to tell *you* what they mean. And if you don't find the magic formula that you have decided is "required" to compel your obedience, well, too bad for the Vicar of Christ on earth.

This is the mentality of sects – Jansenists, Gallicans, Feeneyites. Profess recognition of Christ's Vicar in *word*, but refuse him submission in *deed* – such is the precise and classic definition of schism.

Or the Pope and His Curia?

The Catholic approach to interpretation of papal laws, on the other hand, is succinctly stated in the Code:

Laws are authoritatively interpreted by the lawmaker and his successor, and by those to whom the lawmaker has committed the power to interpret the laws.⁵⁵

⁵⁵ Canon 17.1. "Leges authentice interpretatur legislator ejusve successor et is cui potestas interpretandi fuerit ab eisdem commissa."

Apart from the pope, who possesses this power to interpret his laws authoritatively? "The Sacred Congregations in matters proper to them," says the canonist Coronata. Their interpretations are issued "in the manner of a law."⁵⁶

In case of the New Mass, Paul VI committed the power to interpret his new liturgical legislation to the Congregation for Divine Worship.

The Congregation issued three documents – an Instruction, a Decree, and a Notification – which clearly state that the original legislation promulgating the New Mass is binding.

Such documents are classed among "authentic general interpretations" of the law,⁵⁷ and often generically referred to as "general decrees." The Congregation then promulgated these three documents, as required by the Code, in the *Acta Apostolicæ Sedis*.

One of these documents, the October 1969 Instruction, is of particular interest here. It names Paul VI's Apostolic Constitution, the General Instruction on the Roman Missal, the New Order of Mass, the 6 April 1969 Decree, and the Order for the new Lectionary, and then states:

The foregoing documents **decreed** that, from 30 November of this year, the First Sunday of Advent, **the new rite and the new text be used.**⁵⁸

Even if the initial legislation *had* been somehow defective or doubtful, this passage (and similar ones in the other documents) would cure the problem. It meets the Code's criteria for giving a previously doubtful law an **authoritative** interpretation. The lawgiver's representative (the Congregation for Divine Worship) states that the earlier legislation did, in fact, "**decree - - that the new rite and the new text be used.**"

⁵⁶ M. Coronata, *Institutiones Juris Canonici* 4th ed. (Turin: Marietti 1950) 1:24: "Quis interpretari possit - - per modum legis ecclesiasticæ leges interpretantur: Romanus Pontifex, Sacræ Congregationes pro sua quæquæ provincia."

⁵⁷ See Abbo & Hannon, *The Sacred Canons* 2nd ed. (St. Louis: Herder 1960) 1:34.

⁵⁸ "Præfatis autem documentis, statuitur ut - - adhibeantur."

Any doubt you may have had, then, is resolved. This **authoritative interpretation**, says the Code, “**has the same force as the law itself.**”⁵⁹

You therefore consider yourself bound by the law, because those responsible for interpreting it *told* you so. You then submit to the pope’s law.

That, at least, is how a *real* Catholic – one for whom a pope is more than a cardboard wall decoration, or an empty phrase in the *Te Igitur* – is supposed to act.

Not a Universal Law?

As we noted above, Father Laisney believed that the “legal deficiencies” he alleged existed with regard to the *Novus Ordo* prevented one from claiming it fell under the infallibility of universal laws.⁶⁰

To this argument, the Rev. Peter Scott, Father Laisney’s successor as SSPX U.S. District Superior, added another twist.

In a written debate with the English writer, Michael Davies, Father Scott stated: “It would be a preposterous and intolerable insult to Eastern rite Catholics (many of whom are traditional) to claim [as Mr. Davies does] that ‘the Roman rite - - is - - equivalent to the universal Church,’ simply on account of numerical preponderance. A decree for the Roman Rite, even rightly promulgated, is not for the universal Church.”⁶¹

Others have made essentially the same argument: Paul VI’s legislation on the New Mass is not truly “universal,” because it does not apply to Eastern Rite Catholics.

Father Scott, alas, has confused some common technical terms in canon law.

Church law is indeed divided by **rite** into Western and Eastern, but this has nothing to do with the matter at hand.

⁵⁹ Canon 17.2. “Interpretatio authentica, per modum legis exhibita, eandem vim habet ac lex ipsa.”

⁶⁰ “Where is...?” 36.

⁶¹ “Debate over New Order Mass Status Continues,” *Remnant*, 31 May 1997, 1.

When a canonist calls a law “universal,” he is not referring to it applying in the Latin and Eastern rites simultaneously. Rather, he is referring to a law’s *extension*, i.e., the **territory** where it has force.

Thus a *particular* law binds only within a certain determined territory. A *universal* law, on the other hand, “**binds throughout the whole Christian world.**”⁶²

The legislation promulgating the New Mass, obviously, was intended to be obligatory throughout the world.

The principle also applies to various Declarations, Directories, Instructions, Notifications, Replies, etc. of the Congregation of Sacred Rites (Divine Worship).

No one, says the canonist Oppenheim, doubts that all such decrees for the Universal Church (sometimes known collectively as “general decrees”) have the character of true law.⁶³ Indeed, “general decrees which are addressed to the universal Church (of the Roman Rite) *have the force of universal law.*”⁶⁴ According to a Decree of the Congregation of Sacred Rites, moreover, they possess the same authority as if they emanated directly from the Roman Pontiff himself.⁶⁵

It is therefore impossible to deny that the liturgical legislation of Paul VI would qualify as universal disciplinary law.

A Summary

After what we have presented concerning Paul VI’s legislati-

⁶² See D. Prümmer, *Manuale Juris Canonici* (Freiburg: Herder 1927), 4. “b) *Ratione extensionis* jus ecclesiasticum dividitur: a. in *jus universale*, quod obligat in toto orbe christiano, et *jus particulare*, quod viget tantum in aliquo territorio determinato - - e) *Ratione ritus* jus distinguitur in *jus Ecclesiæ occidentalis* et *jus Ecclesiæ orientalis*.” (His emphasis.) See also G. Michiels *Normæ Generales Juris Canonici* 2nd ed. (Paris: Desclée 1949) 1:14.

⁶³ Oppenheim 2:54. “Quæ decreta pro universa Ecclesia - - rationem *veræ legis* habere, nemo est qui dubitet.” His emphasis.

⁶⁴ Oppenheim 2:63. “*Decreta generalia* quæ ad universam Ecclesiam (ritus romani) diriguntur, *vim legis habent universalis*.” His emphasis.

⁶⁵ SRC Decr. 2916, 23 May 1846. “An Decreta a Sacra Rituum Congregatione emanata et responsiones quæcumque ab ipsa propositis dubiis scripto formiter editæ, eadem habeant auctoritatem ac si immediate ab ipso Summo Pontifice promanarent, quamvis nulla facta fuerit de iisdem relatio Sanctitati Suæ? - - Affirmative.”

on on the New Mass, we wish in conclusion to sum up what has been said, and then insist on one point in particular:⁶⁶

We have examined the claim, put forth by Father Laisney and countless other traditionalist writers, that Paul VI imposed the *Novus Ordo* “illegally,” and we have demonstrated the following:

- 1) The purpose of promulgating a law is to manifest the lawmaker’s will to impose an obligation on his subjects.
- 2) In his Apostolic Constitution *Missale Romanum* Paul VI manifested his will to impose the New Mass as an obligation. This is evident in the document from:
 - a) At least six particular passages.
 - b) Standard lawmaking vocabulary of canon law.
 - c) Parallels to *Quo Primum*.
 - d) Promulgation in *Acta Apostolicæ Sedis*.
- 3) Paul VI’s Apostolic Constitution expressly abrogated (revoked) *Quo Primum* by using a standard clause customarily employed for that purpose.
- 4) The Congregation for Divine Worship (CDW) subsequently promulgated three documents (which are, in fact, “general decrees”) that implement Paul VI’s Constitution. These documents:
 - a) Impose the New Mass as obligatory.
 - b) Forbid (save in certain cases) the old Mass.
 - c) Employ standard lawmaking vocabulary.
 - d) Expressly state they had Paul VI’s approval.
 - e) Were duly promulgated in the *Acta*.
- 5) The CDW also issued a 1974 Notification, which reiterated that *only* the New Mass may be celebrated and that the old Mass was forbidden. It dismissed the claim of “immemorial custom” as “a pretense.” This document was a declarative interpretation of a law, and as such, did not have to be promulgated in the *Acta* to have effect.

⁶⁶ “ - quiddam nunc cogere et efficere placet.”

- 6) The documents issued by the CDW were “authoritative interpretations of law” which, according to the Code, would have “the same force as the law itself,” because they were issued by a Roman congregation “to whom the lawmaker has committed the power to interpret the laws.”
- 7) The objection against classifying Paul VI’s legislation as universal disciplinary law because it does not bind the Eastern rites is based on a misunderstanding of the term “universal.” The term refers not to *rite* but to a law’s *territorial extension*.

The Unavoidable Consequences

For all the foregoing reasons, therefore, if you insist that Paul VI was indeed a true pope possessing plenary legislative powers as the Vicar of Christ, you must also accept the following as the unavoidable consequences of his exercise of papal authority:

1. The New Mass was legally promulgated.
2. The New Mass is obligatory.
3. The traditional Mass was forbidden.

If you then still insist that the New Mass is **evil**, logic compels you to conclude what the faith and Christ’s promises preclude: **the Church of Christ has defected**.

For the Successor of Peter, who possesses the *authority* of Christ, has used that same authority to destroy the *faith* of Christ by imposing a Mass that is evil. For you, then, Christ’s promise to Peter and his successors is a lie and a deception – the gates of hell have prevailed.

* * * * *

This, in turn, brings us back to the starting point for our study: the evil of the New Mass and the principle that the Church cannot give evil.

Paul VI followed all the correct legal forms which those invested with true papal authority customarily employed to impose universal disciplinary laws. Canonically, he dotted the i's and crossed the t's.

But what Paul VI imposed was evil, sacrilegious, faith-destroying. This is why as Catholics we reject it.

Because we know that the authority of the Church is **incapable** of imposing evil universal laws, we must therefore conclude that Paul VI, the giver of evil law, **did not in reality possess** papal authority.

For while it is **impossible for the Church herself to defect**, it *is* possible – as popes, canonists and theologians teach – for a **pope as an individual** to defect from the faith, and automatically lose papal office and authority.

Once we recognize, in a word, that the New Mass is not Catholic, we also recognize that its promulgator, Paul VI, was neither a true Catholic nor a true pope.

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THE VALIDITY OF ORDINATION CONFERRED WITH ONE HAND

Moral Theology, History, Eastern Rites,
Canonists, Papal Teaching & Practice

Rev. Anthony Cekada

2000



In Memoriam:
Monsieur le Chanoine
René Berthod

1916-1996

professeur de théologie morale
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In 1990, I received a letter from a priest who claimed that Archbishop Marcel Lefebvre had performed a “dubious” priestly ordination in the 1970s by supposedly imposing only one hand (instead of both) on the head of each ordinand.

The imposition of hands on the candidate’s head is, according to Pius XII’s 1947 Constitution *Sacramentum Ordinis*,¹ the “matter” (i.e., essential visible sign or action) for conferring the Holy Orders of Diaconate, Priesthood and Episcopacy.

¹ Apostolic Constitution *Sacramentum Ordinis*, 30 November 1947, DZ 2301.

Referring readers to works by two authors, the priest maintained that the validity of a priestly ordination conferred with one hand was questionable, and that the dozen or so priests ordained that day were thus “dubiously” ordained.

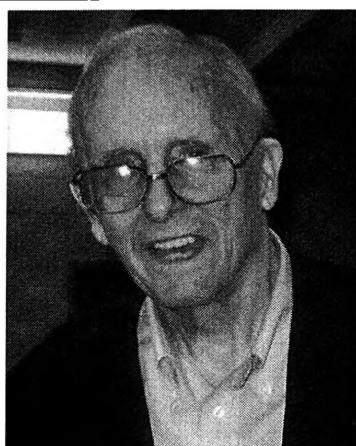
The good Father, it should be noted, had himself been ordained by Abp. Lefebvre. He had heard this tale many years before, but nevertheless continued to work alongside several of these priests. He raised the issue only after he’d had a major public dispute with one of them.

In any event, the priest prevailed upon a number of other priests to sign the letter with him. One of the signers soon concluded that he had been duped, and then honorably withdrew the charge. Others would follow his lead.

The first difficulty was the authority of the works the instigator had cited. One had been written by a somewhat reputable Jesuit theologian, the Rev. Clarence McAuliffe – but it turned out to be merely a college religion textbook. The other was a doctoral dissertation by the Rev. Walter Clancy – who wrote no other works and then left the priesthood. This is hardly the *Summa*.

But what was worse, the priest had misrepresented (read “lied about”) what both authors said. Here are the passages which his letter cited but did not quote:

Although the bishop imposes both hands when ordaining a priest or bishop, **it is very probable that the imposition of only one hand would suffice for validity.**²



Walter Clancy (1926-2014) was a priest actively involved in the civil rights movement. After leaving the priesthood he became a teacher and later married.

² Clarence McAuliffe SJ, *Sacramental Theology: A Textbook for Advanced Students* (St. Louis: B. Herder 1958), 361.

A moral contact, however, is sufficient for the validity of an ordination. **If the bishop were to impose only one hand**, as in the ordination of a deacon, **the effect of this action as a sensible sign productive of invisible grace would not be lost**, in the opinion of this author. **The words of the form would determine the application of the matter to the Order of the priesthood**. Since [Pius XII's] Constitution does demand the imposition of both hands of the bishop (*impositio manuum*), however, in the ordination of a priest, the facts should be presented to the Holy See for a judgment.³

Even if one were to accept Clancy's careless recapitulation of what Pius XII actually decreed⁴ – and the Holy See *did*, by the way, rule that such an ordination was valid – **neither** author actually states that a priestly ordination conferred with one hand is “dubious.” The passages highlighted above indicate the **opposite** instead: that an ordination conferred with one hand is **valid**.

In the ideal order, one would leave it at that: The priest who instigated the accusation: (1) cited questionable authorities, and then (2) lied about what they said.

Bad theology – case closed.

But bad theology has practical consequences. The priest conducted a whispering campaign against the priests whose ordination he had attacked, and then began conditionally readministering sacraments to laymen who had already received sacraments from them.

At the root of the charge (apart from obvious malice) is ignorance of the principles of sacramental theology. For the benefit of laymen (or even priests) who have been taken in by this tale, I will lay out the pertinent principles and draw the appropriate conclusions.

³ Walter B. Clancy, *The Rites and Ceremonies of Sacred Ordination (Canons 1002-1005)*, (Washington DC: Catholic University Press 1962), 70-71.

⁴ *Sacramentum Ordinis* §4 does not “demand” an imposition of “both” hands. It merely designates which imposition constitutes the matter: “In ordination to the priesthood, the matter is the first imposition of the bishop’s hands which is done in silence.”

The Key Issue: Substantial Change

Matter and form are two essential components of every sacrament. *Matter* is the visible *thing* or *action* necessary for conferring a sacrament – pouring water for baptism, bread and wine for the Eucharist, etc. *Form* is the short phrase that the Church designated as essential for validity – “I baptize you” etc., “This is my body...,” etc.

In his 1947 Apostolic Constitution *Sacramentum Ordinis* Pius XII settled a long-standing debate among theologians when he decreed that the essential matter for conferring the Holy Orders of diaconate, priesthood and episcopacy was one and the same: the imposition of hands.⁵

For the ordination rite proper to each of these Orders, Pius XII specified further where in the respective rites this essential imposition of hands on the candidate’s head takes place. The rites for diaconal ordination and episcopal consecration each contain only *one* imposition of hands. For diaconate it occurs when the bishop imposes his *right hand* during the consecratory Preface; for episcopacy it takes place when the bishop and the bishop co-consecrators together impose *both hands*, saying “Receive the Holy Ghost.”

For the rite of priestly ordination, which contains *two* impositions of hands, Pius XII decreed:

In ordination to the priesthood, the matter is the first imposition of the bishop’s hands which is done in silence, but not the continuation of this imposition by the extending of the right hand, nor the last imposition which is accompanied by the words: “Receive the Holy Ghost. Whose sins you shall forgive,” etc.⁶

Now, since Pius XII used the *plural* (imposition of *hands*), should one therefore infer that, if a bishop were to impose only *one* hand at priestly ordination, the ordination would

⁵ For a brief history of the debate, see Appendix II.

⁶ *Sacramentum Ordinis*, DZ 2301, §4. “In Ordinatione Presbyterali materia est Episcopi prima manuum impositio quæ silentio fit, non autem eiusdem impositionis per manus dexteræ extensionem continuatio, nec ultima cui coniungitur verba: ‘Accipe Spiritum Sanctum: quorum remiseris peccata, etc.’”

be rendered “dubious”? The answer is given in a work by the Rev. Eduardo Regatillo, Dean of the Canon Law faculty at the Pontifical University of Comillas (Madrid):

From the fact of Pius XII designating the imposition of *hands* as the essential matter for priesthood and episcopate, **one should not dig out the idea that imposing both hands is required for the validity of an ordination.**⁷

Regatillo’s reply is founded on a fundamental principle in sacramental theology: Only a **substantial** change in the matter of a sacrament renders it invalid.

A **substantial** change occurs when the matter for a sacrament “differs in name and in reality according to common use and estimation from that which Christ established.” Otherwise, a change is merely **accidental**. An accidental change does not affect validity.⁸

The issue of what type of hosts must be used for Mass illustrates how this distinction is applied. The law for the Latin Rite prescribes that hosts be made from wheat flour and be unleavened. Rye or corn flour is considered a *substantial* change and invalidates the sacrament. Using wheat flour, but adding a bit of yeast, as the Eastern Rites do, is considered merely an *accidental* change.

The key issue about the matter at hand (pardon the pun) may therefore be framed as follows:

Does imposing one hand where a rite prescribes the imposing two hands represent a *substantial* change in the matter of a sacrament, i.e. so that it differs “in name and reality” from the matter that Christ established?

And specifically, would such an imposition at a priestly ordination render it “dubious”?

⁷ E. Regatillo & M. Zalba, *Theologiæ Moralis Summa* (Madrid: BAC 1954), 3:666. My emphasis. “Ergo ex eo quod Pius XII designet tamquam materiam essentiallem presbyteratus et episcopatus impositionem *manuum*, erui nequit quod ad valorem ordinationis requiratur utriusque manus impositio.” His emphasis.

⁸ Regatillo-Zalba 3:8 “Mutatio *substantialis in materia* est, quando, juxta communem æstimationem et usum, differt nomine et re ab ea quam Christus determinavit; secus, erat *accidentalis*.” His emphasis.

On both counts, the answer is no. This is evident, as we shall see below, from the Constitution *Sacramentum Ordinis* itself, the terminology of various ritual and theological texts, Leo XIII's Bull *Apostolicæ Curæ*, papal ordination rites, a decree of Pope Gregory IX, Eastern Rite ordination rituals, and the writings of the only theologians who seem to have addressed the issue.

And finally, as we shall also see, the Holy Office (the Vatican tribunal to which Canon Law gives the competency to decide ordination cases) said in the 1950s that an ordination conferred with one hand is indeed valid. Obviously, this settles the issue.

1. Pius XII: One and the Same Matter

In his Constitution *Sacramentum Ordinis*, Pius XII, having explicitly invoked his supreme Apostolic Authority, declared and decreed:

The matter of the Sacred Orders of Diaconate, Priesthood and Episcopacy is **one and the same**, and that indeed is the imposition of hands.⁹



Pius XII, Pope in 1939-1958

In the next paragraph Pius XII treated the Orders of Diaconate, Priesthood and Episcopacy separately, and designated where in the ordination rite for each order this essential imposition of hands occurred. In the rite for Diaconate, he designated the imposition done with the bishop's **right** hand as the essential matter.

Because the matter for all three Orders is one and the same – *eamque unam*, as Pius XII decreed – what suffices

⁹ DZ 2301, §4. “- - divino lumine invocato, suprema Nostra Apostolica Auctoritate et certa scientia declaramus et, quatenus opus sit, decernimus et disponimus: Sacrorum Ordinum Diaconatus, Presbyteratus et Episcopatus materiam eamque unam esse manuum impositionem.” My emphasis.

for one Order suffices for all. If one hand suffices for diaconate, it also suffices for priesthood and the episcopate.

This is the teaching of the canonists Regatillo¹⁰ and Palazzini¹¹ when they discuss the validity of an ordination conferred with one hand. Pius XII, they point out, specifically states that the essential imposition of hands in conferring the priesthood is “continued” by the extension of right hand alone. By force of Pius XII’s Constitution itself, says Palazzini, “it is required that this other imposition of one hand not have less power than the imposition of both hands.”

To assert that conferring the priesthood with one hand renders the sacrament “dubious” implies that a *substantial difference* exists between the matter for conferring the diaconate and the matter for conferring the priesthood and the episcopate. This position directly contradicts Pius XII, who decreed that for the three Orders the matter was “one and the same.”

2. Theologians, Rituals, Confirmation

A. Theologians. Theologians writing both before and after Pius XII’s 1947 decree use the singular and plural interchangeably when referring to the matter for Holy Orders – a clear indication that no substantial difference exists between the imposition of one hand and both hands.

¹⁰ *Theol. Mor. Summa* 3:666. “Nam in diaconatu *unica* manus Episcopi imponitur; in presbyteratu *ambæ* imponuntur, et hæc impositionem deinde continuator per extensionem *soliæ dexteræ*. Et cum in Constitutione Pii XII designetur tamquam *unica* materia essentialis, triplici ordini communis, impositionem *manuum*; primum est ut sicut ad diaconatum una manus sufficit, ita *unica* ad presbyteratum et episcopatum sufficiat.” His emphasis.

¹¹ P. Palazzini & A. de Jorio, *Casus Conscientiæ, propositi ac resoluti a pluribus theologis ac canonistis Urbis*, (Rome: 1958 Marietti), 2:287. “At unius manus dexteræ extensio habetur *continuatio* impositionis manuum. *Ceterum impositionem unius manus non minorem habere virtutem quam utriusque iure cogitur ex prædicta Constitutione Apostolica*, quæ dum declarat ‘Sacrorum Ordinum Diaconatus, Presbyteratus et Episcopatus materiam eamque unam esse manuum impositionem’ (n. 4), decernit atque constituit: ‘In ordinatione Diaconali materia est Episcopi manus impositio quæ in ritu istius ordinationis una occurrit.’ (n. 5).” His emphasis.

Father **McAuliffe**, author of the college textbook falsely cited against the validity of an ordination conferred with one hand, wrote another text on the sacraments, this one for seminarians and specialists. In treating the essential matter for Holy Orders, Fr. McAuliffe, lo and behold, employs the *singular*.

Most recently however, (in 1948) Pius XII again completely changed the matter for Holy Orders, authoritatively restoring the imposition of **the hand** alone. - - ¹²

Regarding Holy Orders, the Church could at a future date prescribe something other than the imposition of **the hand**. Pius XII in fact authoritatively declared this imposition to be valid, whether it is done through physical contact or moral contact alone. - - Nevertheless the pope cannot add anything essential to this imposition of **the hand**.¹³

The great Dominican moralist **Prümmer**, discussing the various opinions of theologians in the past concerning matter for priestly ordination, uses the singular (imposition of a *hand*) and the plural (*hands*) interchangeably.¹⁴ Likewise, the moralist **Noldin**,¹⁵ the dogmatic theologian and moralist

¹² Clarence McAuliffe SJ, *De Sacramentis in Genere* (St. Louis: B. Herder 1960), 138. (My emphasis.) "Nuperrime autem (1948 A.D.) Pius XII iterum hanc materiam totaliter mutaverit, auctoritative restituendo solam impositionem manus et abolendo traditionem instrumentorum."

¹³ *De Sacramentis in Genere*, 141. My emphasis. "In ordine Ecclesia potest fortasse ulterius determinare impositione manus. De facto, Pius XII auctoritative declaravit hanc impositionem valere utrum fiat per contactum physicum an solum morale. - - Tamen Pontifex nequit addere aliquid essentielle ad ipsam impositionem manus."

¹⁴ Dominic M. Prümmer OP, *Manuale Theologiæ Moralis*, 11th ed., (Fribourg: Herder 1953), 3:594. "Prima manuum imposition - - impositione manuum - - prima manuum impositio - - impositione manuum - - *manus* impositionem - - tamen de impositione manuum - - per solam *manus* impositionem semper ordinabatur - - 2. prima *manus* impositionem - - 3. vel solam *manus* impositionem - - 4. primam et secundam *manus* impositionem - -" etc. My emphasis.

¹⁵ H. Noldin SJ, *Summa Theologiæ Moralis*, 13th ed., (Innsbruck: Pustet 1920), 3:457, 459. "Presbyteratus materia proxima duplex est: a. impositio *manus* episcopi - - Tres in ordinatione presbyteri occurrunt manuum impositiones: a. prima est, qua episcopus utramque manum extendit - - b. secunda est, qua episcopus (una cum presbyteris) tenet *dexteram* - - De impositione manuum. 1. *Manus* impositio super caput ordinandi - -" My emphasis.

Tanquerey,¹⁶ and the dogmatic theologian **Hervé**, in editions of his dogmatic theology manual published both before and after Pius XII's decree.¹⁷

The renowned Jesuit canonist **Cappello**, in tracing the historical evidence for maintaining that the imposition of hands is the essential matter for priestly ordination, likewise uses both the singular and plural forms indiscriminately.¹⁸

B. Ritual Books. Even the Church's own rubrics sometimes treat the imposition of one hand or both as interchangeable.

In the **Roman Ritual**¹⁹ and the **Roman Pontifical**²⁰ the official rubrics sometimes tell the minister to impose *one* hand, while the text of the prayers will speak of imposing *both* hands, or vice versa. Here are some examples:

¹⁶ A. Tanquerey, *Synopsis Theologiæ Dogmaticæ*, 22nd ed., (Paris: Desclée 1930), 3:1011. "1° Requiritur *manus* imposition - - Manuum imposition - -" etc. My emphasis.

¹⁷ J.M. Hervé, *Manuale Theologiæ Dogmaticæ*, (Paris: Berche 1932 [1962]). 4:405-7: "1) Prima *manus* impositio. - Episcopus imponit simul utramque manum - - 2) Secundus *manus* impositio. - Finita Missa, Pontifex imponit ambas manus - - per ultimam *manus* impositionem - - 1) prima manuum impositio - - prima *manus* impositio cum oratione - - vel prima *manus* impositio - - in prima *manus* impositione et oratione - - Assertio: Ad essentiam presbyteratus certo pertinet *manus* impositio - -" etc. My emphasis. Similarly the post-1947 edition, 4:404-6.

¹⁸ Felix M. Cappello SJ, *Tractatus Canonico-Moralis de Sacramentis*, (Rome: Marietti 1951). Here we give only the many uses of the singular (*manus*) interspersed among uses of the plural. 4:172: " - - nullam aliam materiam nominat quam *manus* impositione." 4:173: "Presbyteratus (idem dicendum de diaconatu et episcopatu) confertur sola *manus* impositione et oratione - - Titulus XCV refert rubricam impositionis *manus*." 4:176: "Ritum sacræ ordinationis expresse solam *manus* impositionem nominat - - et docet eam fieri per *manus* impositionem - - aliam materiam sacræ ordinationis quam *manus* impositionem non commemorat." 4:178: "Ex facto introductionis ultimæ impositionis *manus* - - memorat quidem impositionem *manus* - - Præfata cæremonia ultimæ impositionis *manus* - -" 4:179: " - - cæremoniam ultimæ impositionis *manus* - -" 4:182: " - - ritus essentialis exhibetur sola *manus* impositio - - sine impositione *manus* - -" 4:184: "de quam impositione manus - - de prima *manus* impositione," etc. All my emphasis.

¹⁹ The Church's official collection of rites for the sacraments and various blessings.

²⁰ The official book containing the ritual for ordinations and for other rites reserved to a bishop.

Rite of Extreme Unction. Rubric: "He extends his **right hand** above the head of the sick person." Prayer: "May the power of the devil become extinct in thee through the imposition of our **hands**."²¹

Visitation and Care of the Sick. Rubric: "The priest places his **right hand** on the head of the sick person and says:" Prayer: "They shall lay their **hands** upon the sick - -"²²

Blessing of Sick Children. Rubric: "The priest places his **right hand** on the head of the sick person and says:" Prayer: "They shall lay their **hands** upon the sick - -"²³

Blessing of an Abbot by Apostolic Authority. Rubric: "Here the bishop imposes **both hands** - -" Prayer: "That he who today is made an abbot by the imposition of our **hand**."²⁴

Blessing of an Abbess. Rubric: "Here the bishop imposes **both hands** - -" Prayer: "That she who today is made an abbess by the imposition of our **hand**."²⁵

C. Pronouncements on Confirmation. The rubrics in the *Roman Pontifical* for administering the Sacrament of Confirmation prescribe that the bishop anoint the confirmand and recite the essential sacramental form, "with the **right hand** imposed on the head of the confirmand."²⁶

Papal and conciliar pronouncements, however, speak of an imposition of hands sometimes in the plural and other times in the singular:

Innocent III (1204): "The imposition of **the hand** is designated

²¹ §7. My emphasis. "Mox, extensa manu dextera super caput infirmi - -" "per impositionem manuum nostrarum."

²² §24. My emphasis. "Sacerdos imponit dexteram manum super caput infirmi, et dicit:" "Super ægros manus imponent - -"

²³ My emphasis. "Sacerdos imponit dexteram manum super caput infirmi, et dicit:" "Super ægros manus imponent - -"

²⁴ My emphasis. "Hic Pontifex imponit ambas manus - -" "Ut qui per nostræ manus impositionem hodie Abbas constituitur."

²⁵ My emphasis. "Hic Pontifex imponit ambas manus - -" "Ut quæ per nostræ manus impositionem hodie Abbatissa constituitur."

²⁶ My emphasis. " - - imposita manu dextera super caput confirmandi."

by the anointing of the forehead, which by another name is called confirmation - -”²⁷

Innocent III (1208): “We decree that confirmation performed by a bishop, that is, by the imposition of **hands**, is holy and must be received reverently.”²⁸

Innocent IV, Council of Lyons I (1245): “ - - the apostles alone, whose places the bishops take, are read to have imparted the Holy Ghost by the imposition of **the hand**, which confirmation, or the anointing of the forehead represents.”²⁹

Gregory X, Council of Lyons I (1245): “The Holy Roman Church also holds and teaches that the ecclesiastical sacraments are seven - - Another is the sacrament of Confirmation which the bishops confer through the imposition of **hands** when anointing the reborn.”³⁰

Eugene IV, Council of Florence (1439): “But in the Church confirmation is given in place of this imposition of **the hand**.”³¹

D. Analysis. If a substantial difference existed between imposing one hand and both hands in a rite of the Church, theologians, the Church’s ritual books and doctrinal pronouncements would be utterly consistent and painstakingly precise in employing one term or the other. But they are not.

Of particular significance are the statements on confirmation. Two professions of faith quoted above (for the Waldensians and for Michael Palaeologus) speak of confirmation

²⁷ *De Ministro Confirmationis*, DZ 419. My emphasis. “Per frontis chrismationem manus impositio designatur, quæ alio nomine dicitur confirmatio.”

²⁸ *Professio fidei Waldensibus præscripta*, DZ 424. My emphasis. “Confirmatio-nem ab episcopo factam, id est impositionem manuum, sanctam et venerande esse accipiendam censemus.”

²⁹ *Circa ritus Græcorum*, DZ 450. My emphasis. “Quoniam soli Apostoli, quorum vices gerunt Episcopi, per manus impositionem, quam confirmatio vel frontis chrismatio repræsentat, Spiritum Sanctum tribuisse leguntur.”

³⁰ *Professio fidei Michaelis Palæologi* [Varia], DZ 465. My emphasis. “Aliud est sacramentum confirmationis, quod per manuum impositionem episcopi confe-runt, chrismando renatos.”

³¹ *Decretum pro Armenis*, DZ 697. My emphasis. “Loco autem illius manus im-positionis datur in Ecclesia confirmatio.”

as conferred through an imposition of *hands* (plural). But the traditional confirmation rite itself, as we noted, prescribes that the bishop impose only his *right* hand.

This clearly demonstrates that no substantial difference exists between imposing both hands and imposing one hand in a rite.

Otherwise the Church would be professing belief that *one* thing is necessary for the validity of a sacrament (imposing *both* hands), while at the same time *not employing it herself* (imposing *one* hand, as actually prescribed in the rite), thus rendering her own sacraments doubtful.

3. Leo XIII: Form Determines Matter

To assert that imposing one hand instead of two renders a priestly ordination doubtful runs afoul of yet another principle in sacramental theology: form determines matter.

In conferring confirmation, diaconate, priesthood and episcopacy, the bishop imposes a hand or hands.³² That is the *matter*. The respective *form* (essential words) for each then specifies what the gesture means, and therefore which sacrament takes place. The imposition of hands, the Jesuit Bligh explains, “simply designates who is to receive the blessing; the exact nature of the blessing is specified by the words of the form.”³³

So in *Apostolicæ Curæ* Leo XIII teaches that the imposition of hands “by itself signifies nothing definite,”³⁴ and



³² In confirmation the application of the chrism to the confirmand's forehead by anointing is considered an imposition of the hand.

³³ John Bligh SJ, *Ordination to the Priesthood*, (New York: Sheed & Ward 1955) 91.

³⁴ *Apostolicæ Curæ*, DZ 1965. “Quæ quidem nihil definitum per se significat.”

accordingly that in Holy Orders “**the matter is the part not determined by itself, but determined by the form.**”³⁵ In his Constitution on Holy Orders, Pius XII likewise speaks of the form as “the words determining the application of this matter.”³⁶

To question the validity of an ordination conferred with one hand turns this principle on its head: *Matter* (one hand or two) ends up determining what *form* signifies.

But the popes teach that sacramental **form** – not the imposition of one hand or two – indicates whether diaconate, priesthood or episcopate is conferred.

This will become even more evident from the priestly ordination and episcopal consecration rites discussed below.

4. Papal Consecrations & Ordinations

A. Papal Episcopal Consecrations. Papal ritual books employed in the Middle Ages (*Ordines*) clearly show that **popes imposed only one hand** when consecrating a bishop. Here is one typical passage:

And the Apostolic Lord [the pope] alone blesses him [the bishop being consecrated] by himself, placing **a hand** on his head. For a bishop cannot be blessed by less than three other bishops: one who gives the blessing, and another two who impose **a hand** on the head of him who is blessed.³⁷

Another **papal *Ordo*** for consecrating a bishop contains a similar direction:

³⁵ *Apostolicæ Curæ*, DZ 1965. “Materia sit pars per se non determinata, quæ per illam determinatur.” My emphasis.

³⁶ *Sacramentum Ordinis*, DZ 2301, §4. “Verba applicationem huius materiæ determinat.”

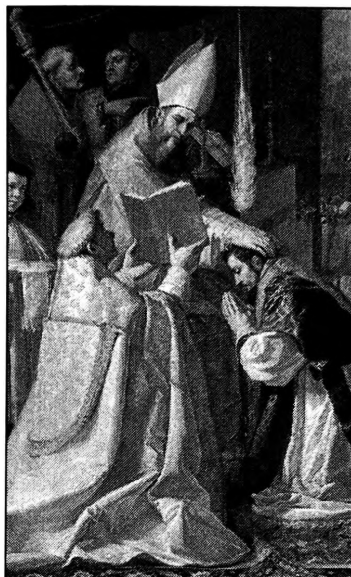
³⁷ Ordo xxxv, Michel Andrieu, *Les Ordines Romani du Haut Moyen Age*, (Louvain: Spicilegium Sacrum Lovaniense 1956), 4:44. (My emphasis.) “65. Et benedicet eum dominus apostolicus solus per semetipsum, imposita manu super caput eius. 66. Nam a ceteris episcopis episcopus benedici non potest minus quam a tribus, unus qui dat benedictionem et alii duo qui imponunt manum super caput ipsius qui benedicatur.”

With the rest of the bishops holding their hands next to **the hand** of the Supreme Pontiff, this prayer is said by the pope in a solemn voice.³⁸

In fact when a **simple priest was elected pope**, he was consecrated a bishop with a rite that called for his consecrator to impose only one hand on his head:

Then the Bishop of Ostia, the principal consecrator, places the Gospel book on the shoulders of the elect, and, saying nothing, imposes **the right hand** on his head, which the rest of the bishops also do in turn.³⁹

The imposition of one hand for episcopal consecration in Rome was the norm for many centuries:



In Rome, at least up to the beginning of the 14th century hands were imposed on bishops in the way that they are on priests today. First the consecrating bishop, then all the bishops present, impose **the right hand alone** in silence.⁴⁰

B. Papal Priestly Ordinations. We encounter the same prac-

³⁸ Ordo xxxva, Andrieu, 4:74. My emphasis. “8. Qua finita, domnus apostolicus elevat ipsum electum, imponens caput eius super altare et duo episcopi nitentes ævangelia tenent super verticem eius; reliquis etiam episcopis iuxta manum summi pontificis manus tenentibus, lenta voce ab apostolico hæ oratio dicitur:”

³⁹ Ordo xiv, Mabillion, cited in Joachim Nabuco, *Pontificalis Romani Expositio Juridico-Practica*, (New York: Benziger 1944), 1:291a. My emphasis. “Deinde episcopus Ostiensis, principalis consecrator, ponebat evangelistarium super humeros electi, et, *nihil dicens*, imponebat manum dexteram capiti ejus, quod et ceteri episcopi successive faciebant.” Original italics.

⁴⁰ Nabuco, 1:n133. My emphasis. “Romæ, saltem usque ad initium sæculi XIV, manus imponebantur episcopis sicut hodie imponuntur sacerdotibus, videlicet prius consecrator, deinde omnes episcopi præsentés, imponebant manum dexteram *sub silentio*.” His emphasis. The context of this passage is a discussion of the more recent practice at an episcopal consecration of the co-consecrators imposing hands on the bishop-elect simultaneously with the consecrator.

tice in the Roman books used for **priestly ordinations conferred by the Pope**. Out of the 12 *Ordines* which give ritual directions, eight *Ordines* (iii⁴¹ iv,⁴² v,⁴³ vi,⁴⁴ viii,⁴⁵ x,⁴⁶ xi,⁴⁷ xiii⁴⁸) prescribe that the bishop impose *one* hand. The following is a typical rubric:

When a priest is ordained, the bishop blesses him and places **his hand** on his head. All the priests who are present do likewise, and they place their hands on his head, next to **the hand** of the bishop.

Of the rest, three *Ordines* are ambiguous as to whether one or two hands are used (ii,⁴⁹ ix, xv⁵⁰), and only one (xvi), prescribes both hands.

A full **two-thirds of the Roman books**, therefore, used at various points over a period of several hundred years, prescribe that one hand be imposed for priestly ordination.

C. Rites Derived from Rome. Other liturgical texts derived

⁴¹ E. Martene, *De Antiquis Ecclesiæ Ritibus* 2nd ed. (Antwerp: 1736), 2:110. “- & benedicente eum episcopo, *manum* super caput ejus ponant. Similiter & presbyteri, qui præsentibus sunt, manus suas juxta *manum* episcopi -”

⁴² Martene 2:121. “- episcopo eum benedicente, etiam omnes presbyteri qui præsentibus sunt, manus suas juxta *manum* episcopi super caput illius teneant.”

⁴³ Martene 2:127. “Hac expleta, *manum* super capita eorum ponat, nec non & circumstantes presbyteri manus suas juxta *manum* episcopi supra capita illum teneant: -”

⁴⁴ Martene 2:137. “- *manum* super caput ejus tenente, etiam omnes presbyteri qui præsentibus sunt, manus suas juxta *manum* episcopi super caput ipsius teneant.”

⁴⁵ Martene 2:146. “Tunc eo inclinato, imponat *manum* super caput ejus, & omnes presbyteri, qui assunt, manus suas juxta *manum* episcopi super caput illius teneant -”

⁴⁶ Martene 2:173. “- episcopo eum benedicente, & *manum* super caput ejus tenente, etiam omnes presbyteri, qui præsentibus sunt, manus suas juxta *manum* episcopi super caput illius teneant.”

⁴⁷ Martene 2:179. “- episcopo eum benedicente, & *manum* super caput ejus ponente, etiam omnes presbyteri, qui præsentibus sunt, manus suas juxta *manum* episcopi super illius ponant caput.”

⁴⁸ Martene 2:191. “Tunc eo inclinato, imponat *manum* super caput ejus, & omnes presbyteri qui adsunt manus suas juxta *manum* episcopi super caput illius teneant; & ille orationem super eum dicet.”

⁴⁹ Martene 2:100.

⁵⁰ Martene 2:209.

from those used in Rome likewise bear witness that only one hand was imposed to ordain priests.

The **Gregorian Sacramentary** used in France in the 8th and 9th centuries contains the following rubric. It is identical to the one cited above:

When a priest is ordained, the bishop blesses him and places **his hand** on his head. All the priests who are present do likewise, and they place their hands on his head, next to **the hand** of the bishop.⁵¹

A similar rubric is found in another French liturgical manuscript, the **Ordo Romanus Antiquus**:

Then when he is bowed [the bishop] imposes **a hand** on his head and [then] all the priests.⁵²

Likewise we encounter this direction in the Gallican **Statuta Ecclesiæ Antiqua**:

When a presbyter is ordained, as the bishop blesses him and holds **his hand** on his head, let all the presbyters who are present also hold their hands beside the hand of the bishop on his head.⁵³

D. Interchangeable Use. Impositions of one hand or two hands, in fact, are employed in ancient ordination rites interchangeably without any distinction whatsoever as to the degree of Holy Orders being conferred.

Thus in a **3rd-century ritual** “the hand” is imposed for consecrating bishops and ordaining priests, while “hands”

⁵¹ Cited in Pierre de Puniet, *The Roman Pontifical: A History and Commentary*, (London: Longmans 1932), 272. My emphasis. “Presbyter cum ordinatur, episcopo eum benedicente, et *manum* suum super caput eius tenente, etiam omnes presbyteri, qui praesentes sunt, manus suas juxta *manum* episcopi super caput illius teneant.”

⁵² De Puniet, 275. “Tunc eo inclinato, imponat *manum* super caput eius et omnes presbyteri.”

⁵³ Cited in Paul F. Bradshaw, *Ordination Rites of the Ancient Churches of East and West*, (New York: Pueblo 1987), 222.

are imposed for deacons.⁵⁴

In 5th-8th century Roman rites, one hand is imposed for bishops, priests and deacons⁵⁵ alike.

A 13th-century rite mentions no imposition for bishops, “the hand” imposed for priests, and “hands” for deacons.⁵⁶

E. Conclusion. In *Sacramentum Ordinis* Pius XII set forth the Church’s teaching regarding the sufficiency of ordination rites she employed in the past:

Now the effects which must be produced and correspondingly signified in sacred ordination to the diaconate, the priesthood and the episcopate, namely power and grace, **have been found to be sufficiently signified, in all the rites used at different times and in various places in the universal Church** through the imposition of hands and the words determining this action.⁵⁷

In the past popes ordained priests, consecrated bishops, and were themselves consecrated bishops in rites in which only one hand was imposed. There can be no dispute whatsoever, therefore, that the gesture “sufficiently signifies” the effects of Holy Orders and validly confers the sacrament.

To say otherwise, once again, contradicts Pius XII.

5. Gregory IX: Imposition of the Hand

In a 1232 Epistle to the bishop of Lyons concerning the matter and form of ordination, **Pope Gregory IX** likewise used the singular (a *hand*) to designate the imposition that takes place in the ordination rite:

⁵⁴ Cf. J. Tixeront, *L'Ordre et les Ordinations: Etude de Théologie Historique*, 12th ed. (Paris: Gabalda 1925), 113, 115, 118.

⁵⁵ Cf. Tixeront, 135, 133, 131.

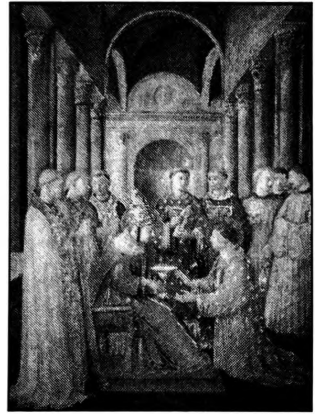
⁵⁶ Cf. Tixeront, 153 (“L’imposition des mains n’est pas explicitement signalée, mais elle va de soi”), 151, 150-1.

⁵⁷ *Sacramentum Ordinis*, DZ 2301, §3. “Iamvero effectus, qui Sacra Diaconatus, Presbyteratus et Episcopatus Ordinatione produci ideoque significari debent, potestas scilicet et gratia, in omnibus Ecclesiae universalis diversorum temporum et regionum ritibus sufficienter significati inveniuntur manuum impositione et verbis eam determinantibus.” My emphasis.

When a priest and deacon are ordained, they receive the **imposition of a hand** by a physical touch, by the rite introduced by the Apostles.⁵⁸

This also confirms what we presented in the previous section: that the pope imposed one hand for ordinations in Rome.

But what follows is equally significant:



If this shall be omitted, it must not be partially repeated, but at an established time for conferring orders of this kind, what through error was omitted must be carefully supplied. Moreover, the suspension of hands over the head must be made, when the prayer of ordination is uttered over the head.⁵⁹

Note that he has prescribed an imposition of a hand (singular) to render valid an ordination that was invalid.

6. Holy Orders in Eastern Rites

A. Byzantine Rites. The Byzantine liturgy for **priestly ordination** contains the following direction:

When the bishop rises, the ordinand goes to him, and is signed with the cross three times above his head - - The deacon exclaims: "Let us attend." Immediately the bishop, holding his **right hand imposed** on his [the ordinand's] head, exclaims: "Divine Grace, which always heals what is weak and completes what is lacking, promotes N. the devout Deacon unto the Priest-

⁵⁸ *De Materia et Forma Ordinationis*. DZ 445. My emphasis. "Presbyter et diaconus cum ordinantur, manus impositionem tactu corporali, ritu ab Apostolis introducto, recipiunt."

⁵⁹ DZ 445. "quod si omissum fuerit, non est aliquatenus iterandum, sed statuto tempore ad huiusmodi ordines conferendos, caute supplendum est quod per errorem exstitit prætermissum. Suspensio autem manuum debet fieri, cum oratio super caput effunditur ordinandi."

hood: Pray for him that the grace of the most Holy Ghost come upon him.”⁶⁰

Note that the bishop is told to impose his right *hand*. Except for a change of wording (“bishop” instead of “priest”) in the sacramental form, an identical procedure – imposing the right hand alone – is followed for **episcopal consecration** in the Byzantine rites.

There are no less than **10 Catholic uniate groups** using the Byzantine rite: Melkite, Ukrainian, Podocarpathan Ruthenian, Hungarian Ruthenian, Yugoslav, Rumanian, Greek, Bulgarian, and Russian.⁶¹

B. Other Eastern Rites. The imposition of one hand for priestly ordinations or episcopal consecrations is likewise used by other Eastern Rite Catholics such as the **Syrians**,⁶² the **Copts**,⁶³ and the **Maronites**.⁶⁴

C. Conclusion. Pius XII states that the Roman Church always regarded Eastern Rite ordinations as valid, and indeed insisted that Greeks, even in Rome itself, be ordained according to their own rite.

Since the majority of the Eastern Rites impose only one hand to confer Holy Orders, it is impossible to maintain that

⁶⁰ Enzo Lodi ed., *Enchiridion Euchologicum Fontium Liturgicorum* (Rome: CLV Edizioni Liturgiche 1979), 2974. My emphasis. “*Exurgente deinde Pontifice ad eum Ordinandus accedit, et ter ab eo in capite cruce signatur: et frontem sacra mensa suffulciens, utrumque genu incurvat. Et Diacono exclamante: Attendamus, confestim Pontifex dextram manum ejus capiti impostitam tenens, exclamat: Divina gratia quæ semper infirma curat, et ea quæ desunt adimplet, promovet N. devotissimum Diaconum in Presbyterum: oremus pro eo, ut veniat super eum sanctissimi Spiritus gratia. Et qui sunt in tribunalibus, ter, Domine miserere, dicunt: sit similiter cantores.*” Original italics.

⁶¹ See Donald Attwater, *The Christian Churches of the East: Volume I, The Churches in Communion with Rome* (Milwaukee: Bruce 1961).

⁶² See H. Denzinger, *Ritus Orientalium* (Wurzberg: 1864), 2:90. “*Mox imponet dexteram suam super caput ejus; sinistram movet huc et illud, dicitque lente orationem sequentem invocationis Spiritus Sancti.*”

⁶³ Attwater, 135.

⁶⁴ See Denzinger, *Ritus*, 2:148-165, *passim*. “*Quando quis debet suscipere impositionem manus - - [preceding the essential form] Episcopus illum utrumque genuflectere jubet ei manum suam imponens super caput eius dicit - -*” etc.

an ordination so conferred in the Latin Rite would be “dubious.” Such would imply a *substantial* difference between Holy Orders in the West and in the East – that the latter mode of ordination somehow “differs in name and in reality according to common use and estimation from that which Christ established.” In light of the Church’s constant teaching, this would be absurd.

It is evident, therefore, that the difference between the two impositions is nothing more than *accidental* – like the difference between the Eastern Rites and the Latin Rite in using for Mass, respectively, leavened and unleavened bread. Such a difference can in no way render a sacrament doubtful.

7. Teaching of Canonists

A. Nabuco. In his three-volume canonical and rubrical commentary on the Roman Pontifical, Msgr. Joachim Nabuco, an expert on the conduct of episcopal ceremonies, discusses various defects which may occur when conferring episcopal consecration. Regarding the imposition of hands, he says:

The matter for episcopal consecration is the imposition of the hands, **or of at least one hand** on the head of the bishop-elect.”⁶⁵

B. Cappello. In editions of his monumental tract on the sacraments issued both before and after Pius XII’s 1947 decree, the Rev. Felix Cappello, a canonist at the Pontifical Gregorian University and a consultor for the Vatican Congregation for the Discipline of the Sacraments, says the following:

If one hand alone was imposed on the head of the ordinand and not both hands, the imposition [of hands] is considered valid, and

⁶⁵ *Pontificalis Romani Expositio* 1:291. My emphasis. “Materia consecrationis episcopalis est impositio manuum, vel saltem unius manus super caput electi.”

thus the ordination must be regarded as valid.⁶⁶

C. Regatillo. In the mid-1950s the renowned Spanish canonist Regatillo researched the issue of an ordination performed with one hand.

Apart from the passage in Cappello we have just quoted, he found no canonist, liturgist or decision of the Holy See that even discussed the issue. "This is a sign," Regatillo said, "that this defect is not considered something substantial."

Fr. Regatillo explained his reasons at great length (see Appendix I) and adopted the same position as Cappello:

Both I and the other canonists I have consulted consider an ordination conferred this way to be valid, and we would leave a person so ordained to exercise his orders in complete peace.⁶⁷

⁶⁶ *Tract. de Sacramentis* 4:218. My emphasis. "Si una tantum manus imposita fuerit super caput ordinandi, non vero utraque, impositio valida censetur, et consequenter ordinatio ut valida habenda."

⁶⁷ *Theol. Mor. Summa* 3:666; E. Regatillo, *Jus Sacramentarium* 3rd ed. (Santander: Editorial Santander 1960), 873. My emphasis. "De vi huius defectus neque canonistæ, neque liturgistæ loquuntur; nec ullam inveni dispositionem S. Sedis. Hoc signum est quod hic defectus non habetur tamquam substantialem. - Alii canonistæ, quos consuli, et ego validam putamus ordinationem sic collatam; et sic ordinatum relinqueremus ut ordinem in pace exerceret." The only point about which there appeared to have been a discussion was whether a bishop was required to "supply ceremonies" later if he had imposed only one hand at a priestly ordination. The general rule before *Sacramentum Ordinis* was that *any* rite or prayer omitted in performing an ordination *must* be supplied later (see Nabuco, 1:208-9), and various opinions were offered as to how much of the ordination rite a bishop was to repeat in supplying ceremonies. In *Theol. Mor. Summa*, the earlier of the two works cited above, Regatillo advised "At interea suaderemus ut consulatur S. Officium: an aliquid sit *supplendum* in casu." My emphasis. Similarly Cappello (*Tract. de Sacramentis*, 4:218) says: "Num practice iteranda sit ordinatio vel saltem *supplenda* manus utriusque impositio, disputatur. Integra ordinatio certe repetenda non est, forte sola manuum impositio." My emphasis. To *supply* ceremonies is not to render valid a sacrament which was doubtfully or invalidly conferred, but rather merely to meet all the ceremonial prescriptions which enhance the dignity of a rite. A classic example is an emergency baptism where the anointings and other rites are later supplied. In *Jus Sacramentarium*, which recounts a subsequent decision of the Holy Office affirming the validity of an ordination conferred with one hand (see below), Regatillo dropped the sentence about supplying ceremonies.

D. Palazzini-de Jorio. In their collection of moral theology cases (“proposed and resolved by numerous Roman canonists and theologians,” as the book’s title notes), Msgrs. Palazzini and de Jorio reply to an inquiry on the issue in the following manner:

No one doubts the validity of a priestly ordination or episcopal consecration conferred by the imposition of one hand. For indeed the power which is conferred is sufficiently signified by the imposition of one hand.⁶⁸

Note that this is a categorical statement – “*No one* doubts the validity of an ordination conferred with one hand” – and that the men who made it were considered experts in the field of canon law and moral theology.



E. Aertnys-Damen. After discussing Pius XII’s pronouncement on the matter and form for Holy Orders, the Redemptorist moral theologians pose the following question: “Whether the imposition of both hands would be required for validity.” Their response:

No. In the Ordination of a Deacon the *Roman Pontifical* prescribes in clear terms an imposition of only one hand. In the Ordination of a Priest and of a Bishop an imposition of both hands is indeed prescribed – but **it is plain that this is in no way necessary to it for validity**, as though a fuller transmission of power would be signified. For the fullness of power is also

⁶⁸ Palazzini-de Jorio 2:286-7. My emphasis. “Item nemo dubitat de validitate ordinationis sacerdotalis vel consecrationis episcopalis, conlatæ per unius manus impositionem. Etenim potestas, quæ confertur, satis significatur per unius manus impositionem.”

sufficiently shown to be transferred by the imposition of one hand alone, extended over the head. Nor, moreover, is this viewed as differing essentially from the extension of both hands.⁶⁹

F. Analysis. Out of the hundreds of works in moral theology, dogmatic theology, liturgy, and canon law that I have



consulted over the years, these were the only authors who even discussed the issue of priestly ordination conferred with one hand. These experts say it is valid.

Backed into a corner with such weighty testimony, adepts of the dubious ordination theory insist that certainty is impossible and that, somehow, doubt remains. And inevitably, they quote the moral principle: *In dubiis pars tutior est eligenda* – “In doubt, the safer course must be chosen.”

But this is nothing more than parroting a phrase.

First, there *is* no “doubt” present that dictates choosing a supposedly “safer” course. Recall the statement of Msgrs. Palazzini and de Jorio: “**No one doubts** the validity of an ordination conferred with one hand” – shorthand for “no one with any brains” doubts it.

⁶⁹ I. Aertnys & C. Damen, *Theologia Moralis*, 17th ed., (Rome: Marietti 1958), 2:563. My emphasis. “Quær. 2°. *Num ad validitatem requiratur quod utraque manu impositio fiat. Resp. Negative.* In Ordinatione diaconi Pont. Rom. expressis verbis præscribit unius tantum dexteræ impositionem. In Ordinatione presbyteri et Episcopi utriusque quidem manus impositio præscribitur sed nullo modo patet eam esse ad validitatem necessariam ad hoc ut plenioris potestatis translatio significaretur. SuffICIENTER enim etiam plenitudinem potestatis transferri exprimitur impositione unius tantum manus extensæ super caput; neque perspicitur istam essentialiter differe ab extensione utriusque manus. Deinde constat in antiqua liturgia sæpe unius tantum manus impositione presbyteros et episcopos ordinatos fuisse idque adhuc fieri in pluribus ritibus orientalibus.” His emphasis.

Second, according to the moral theologians Aertnys and Damen, the principle of the safer course applies only to a choice between a *morally safe* course of action and a *morally unsafe* one. That is when you are morally obliged to choose the “safer” course. Otherwise, they say, “**we are *not* bound to follow the safer course when another course is safe.**”⁷⁰

And how does one know that priestly ordination conferred with one hand is a “safe” course? Because, in addition to the teaching of these canonists, we know that popes ordained priests and consecrated bishops this way in Rome for centuries, that newly-elected popes were themselves consecrated bishops this way, that the Eastern Rites have always ordained this way, and that Pius XII told us in *Sacramentum Ordinis* that *all* these rites were valid.

There is no safer course.

8. Decision of the Holy Office

The final nail into the coffin for the theory that a one-handed ordination is “dubious” comes from an account of a decision of the **Holy Office** in the late 1950s, when it was headed by Alfredo Cardinal Ottaviani. The Holy Office is the Church’s supreme doctrinal tribunal, and among its functions was to judge the validity of an ordination when some mistake had been made in the rite.

A bishop who had accidentally performed priestly ordinations with one hand asked Fr. Regatillo about their validity. Regatillo replied that the ordinations were valid and that those who were so ordained should be left in complete peace. During a visit to Rome, the bishop consulted the Holy Office, and

⁷⁰ Aertnys-Damen 1:86. My emphasis. “Quæritur, quid censendum sit de principio: In dubiis pars tutior est eligenda. Resp. 1. Sano sensu acceptum est vera et universalis regula. Etenim non accipit tutiorem partem *comparative* ad aliam, quæ etiam tuta est, sed *adversative* ad aliam, quæ non est tuta: quia non adstringimur partem tutiorem sequi, quando altera est tuta. Sensus ergo est quod in dubiis debemus relinquere partem dubiam seu intutam, et tutam seu certam eligere.” His emphasis.

Its response was that **a priestly ordination in which the bishop imposed one hand was valid, and that such had been its response many times.**⁷¹

The Church, therefore, settled the issue.

* * * * *

I am under no illusion that any of the foregoing material – even Regatillo’s account of the Holy Office decision – will convert those who spread this “dubious ordination” tale. Like traditionalists who claim that *all* Abp. Lefebvre’s ordinations were doubtful because of a “Masonic connection,” they will probably go right on insisting that there is still a “doubt,” and that they are only following the “safer” course.

But the laity should understand that this it not the “safer” course – it is the ignorant one.

When an issue about the validity of a sacrament arose before Vatican II, a priest looked the answer up in an approved moral theology book, or phoned the chancery, where diocesan officials looked it up in *their* books.

When major theologians or canonists **ALL** agreed that something was valid matter for a sacrament, **you took their word for it.** Why? Because they taught in Pontifical Universities right under the Pope’s nose, and they were very, *very* smart.

And you – a priest in some backwater diocese – at least you had enough sense to acknowledge that, compared with them, you were really, *really* dumb. You did not continue to insist that there was still “a doubt.”

But as our moral theology professor in Switzerland, Canon René Berthod, used to say: *Quand on est bête, on ne peut rien faire* – when you’re stupid, *nothing* can be done.

⁷¹ *Jus Sacr.*, 3rd ed., 873. My emphasis. “Tandem quidam Episcopus, qui ordinandis presbyteris unicum manum imposuerat, accepto nostro responso, iuxta quod ordinationes illæ fuerunt validæ, et sic ordinati poterant relinqui in bona pace; postea in visitatione *ad Limina* oretenus S. Officium consulit; eique responsum fuit validam fuisse ordinationem presbyteralem in qua Episcopus unicum manum imposuit; et ita pluries fuisse responsum.”

Be that as it may, we have amply demonstrated that the imposition of one hand in a priestly ordination is *not* a substantial change in the matter of the sacrament and therefore *cannot* render an ordination “dubious.” The reasons may be summed up as follows:

1. **Pius XII decreed** specifically that for diaconate, priesthood and episcopacy **the matter is one and the same**. The canonists Regatillo and Palazzini therefore state that, since the imposition of one hand suffices for diaconate, it also therefore suffices for priesthood and the episcopacy.

2. Theological **commentaries** and the Church’s **ritual books**, as well as papal and conciliar **pronouncements** on confirmation, **use the singular and plural interchangeably** (*hand, hands*) to designate the same action. This confirms that there is no substantial difference between a singular and a plural imposition of hands.

3. **Leo XIII** teaches that the imposition of hands by itself signifies nothing definite, and that the **form** (essential words) **determines the sacrament or order** being conferred. The imposition of one hand or both, therefore, makes no difference as regards the validity of the sacrament, because the form specifies what the gesture means.

4. The older Roman liturgical books attest that **the popes themselves imposed one hand** when ordaining priests and consecrating bishops. A simple priest who was elected pope received episcopal consecration in a rite in which his consecrator imposed only one hand on his head. Impositions of one hand or two hands are employed in ancient ordination rites interchangeably without any distinction whatsoever as to whether episcopacy, priesthood or diaconate were being conferred. Pius XII declared that the imposition of hands in all such rites “sufficiently signified” the effects of the Sacrament of Holy Orders.

5. In a 1232 Epistle to the bishop of Lyons, **Pope Gregory IX** stated that priestly ordination was conferred by the imposition of **a hand** (singular), and decreed that this should be supplied if it had been omitted.

6. **Thirteen Eastern Rites** of the Catholic Church con-

fer **priestly ordination and episcopal consecration** by the imposition of one hand. Pius XII declared that the Church has always regarded Eastern Rite ordination rites as valid.

7. Both before and after the decree of Pius XII, **eminent canonists and theologians** – Nabuco, Cappello, Regatillo, Palazzini, di Jorio, Damen – taught that a priestly ordination or episcopal consecration conferred with one hand is valid. Palazzini and di Jorio specifically state that “**No one doubts the validity** of an ordination conferred with one hand.”

8. In response to a question on the issue, **the Vatican tribunal of the Holy Office replied** that a priestly ordination conferred with one hand is **valid**, and that this had been its **response many times**.

For all the foregoing reasons, a priestly ordination conferred with one hand must be considered valid.

And as for someone who *still* insists otherwise? Well, *quand on est bête, on ne peut rien faire...*

Appendix I

Canonists on Priestly Ordination with One Hand

E.F. Regatillo

Ius Sacramentarium 3rd edition (Santander: Sal Terræ 1960), 873. Except for the mention of the Holy Office decision, it is identical to the passage on the topic in his 1954 *Theologiæ Moralis Summa* (Madrid: BAC), 3:495-96.

In the ordination rite for the priesthood or episcopacy, the imposition of *hands* (plural number) is said to be essential. What if a Bishop were to impose only *one* hand? Would the ordination be valid?

No canonists or liturgists speak of the import of this defect, neither have I been able to find a disposition of the Holy See. This is a sign that this defect is not regarded as being something substantial. Only Cappello, that I know of, touches upon the question: “If one hand was imposed, not both, the imposition is consi-

dered valid, and consequently the ordination must be regarded as valid. Whether the entire ordination must be repeated or whether only the imposition of both hands must be supplied is disputed. The whole ordination certainly must not be repeated; perhaps only the imposition of hands.”⁷² (*De Ordin.* 218). Cappello wrote this before the Constitution of Pius XII. He cites no author or decision of the Holy See.

Both I and the other canonists I have consulted consider an ordination conferred this way to be valid, and we would leave a person so ordained to exercise his orders in complete peace.

For in conferring the diaconate, one hand of the bishop is imposed; in the priesthood, both are imposed and this imposition is continued by the extension *of the right hand alone*. And since in Pius XII’s Constitution the only essential matter common to all three holy orders is designated at the imposition of *hands*, it is obvious that just as one hand suffices for the diaconate, so also one hand would suffice for the priesthood and the episcopate.

The Greek phrase which always occurs the same way in the rite of diaconal, priestly and episcopal ordination is this: “The Bishop - - holding his *hand* imposed,” in the singular, to be sure.

Holy Scripture often mentions the imposition of hands. Some texts refer to ordination, others to confirmation, other to healing. In those texts which refer to ordination, the term hand is used in the plural number *cheiras* together with the singular number, *cheira*.

From this someone might conclude that Sacred Scripture is referring to the practice of imposing *both* hands together. But the texts which are in the plural number refer in fact to the imposition of the hands not of one man alone, but of many men. And therefore, although each individual would have imposed only one hand, the term *hand* was aptly employed in the plural number in the sense of *the hands of many men*. There is only one text which clearly speaks of the imposition of the *hands* of one individual. It is a text of St. Paul: “For which cause I admonish thee that thou stir up the grace of God which is in thee by the imposition *of my hands*.” (2 Tim 1:6)

In ancient Greek rituals, the word *hand* is found in some places in the plural, in others in the singular. In Latin rituals the rubric

⁷² These last two sentences refer to “supplying ceremonies.” See footnote 67 in section 7.C above (p. 50).

appears as impositions *of the hand* or imposition of the *hands*.

Therefore, from the fact of Pius XII designating the imposition of *hands* as the essential matter for priesthood and episcopate, one should not dig out the idea that imposing both hands is required for the validity of an ordination. Far from it. Because the imposition of one hand was sufficient according to the numerous ancient documents cited, the same must be said now – especially since the intention of the Supreme Pontiff was to take away an occasion for scruples

Finally, a certain bishop who in ordaining priests had imposed only one hand, having heard our response that those ordinations were valid and that those who had been ordained that way could be left in complete peace, afterwards during an *ad Limina* visit, consulted the Holy Office orally. Its response was that a priestly ordination in which the bishop imposed one hand was valid, and that such had been its response many times.

P. Palazzini, A. de Jorio

Casus Conscientiæ, propositi ac resoluti a pluribus theologis ac canonistis Urbis, (Rome: 1958 Marietti), 2:287.

Francis the Master of Ceremonies of a cathedral church, tells the Bishop, Paul, that he has imposed only one hand (and covered with a glove at that) on the head of Aemilius in a priestly ordination. Further Francis tells Paul that he has presented Aemilius with an empty chalice and a paten without a host.

Francis therefore asks: (1) Whether in this case the sacred ordination was valid. (2) And, if so, whether some ceremonies need to be supplied.

Solution. [Discussion of issue of glove.]

Likewise, no one doubts the validity of a priestly ordination or episcopal consecration conferred by the imposition of one hand. For indeed the power which is conferred is sufficiently signified by the imposition of one hand.

It is indeed true that the Apostolic Constitution *Sacramentum Ordinis* determines and constitutes the first imposition of *hands* which takes place in silence to be the matter in priestly ordination.

However, the extension of one right hand is held [by *Sacramentum Ordinis*] to be a *continuation* of the imposition of hands.

That this other imposition of one hand does not have less power than the imposition of both hands is required by force of the aforesaid Apostolic Constitution itself which, while it declares "The matter of the Sacred Orders of diaconate, priesthood and episcopacy is one and the same, and that indeed is the imposition of hands" (§4), determines and lays down: "For ordination to diaconate, the matter is the imposition of the hands of the bishop which occurs once in the rite of this ordination" (§5). [*Discussion of presentation of chalice. Not necessary for validity.*]

I. Aertnys, C. Damen

Theologia Moralis, 17th edition, (Rome: Marietti 1958), 2:563.

Question 2. Whether the imposition of both hands would be required for validity.

Answer. No. In the Ordination of a Deacon the *Roman Pontifical* prescribes in clear terms an imposition of only one hand. In the Ordination of a Priest and of a Bishop an imposition of both hands is indeed prescribed – *but it is plain that this is in no way necessary to it for validity, as though a fuller transmission of power would be signified.* For the fullness of power is also sufficiently shown to be transferred by the imposition of one hand alone, extended over the head. Nor, moreover, is this viewed as differing essentially from the extension of both hands. This is evident from the ancient liturgy in which priests and bishop were often ordained by the imposition of only one hand, and it is still done to this day in many oriental rites.

Appendix II **The Matter for Holy Orders: A Historical Note**

The issue of what constituted the essential matter for the Holy Orders of diaconate, priesthood and episcopacy had been debated for centuries.

The debate arose because the rites used for conferring these orders were long and complex, and contained many ritual actions which appeared to express the essence of the order being received – imposition or impositions of a hand or hands, anointing, ceremo-

nial touching of or presentation with symbols of office, vesting with robes of office, etc.

Most controverted of all was the matter for ordination to the priesthood. In the traditional rite there are two impositions of hands (three, if one counted a subsequent extension separately), anointings, and a presentation of the instruments of sacrifice. There were **six** different schools of thought as to which ceremony or combination of ceremonies constituted the essential matter for priestly ordination.

Surprisingly, Rome did not seem particularly concerned about stepping in to issue a definitive decision, so the controversy went on for centuries. When a mistake or omission occurred during an ordination ceremony, the result was scruples, anxiety and appeals to Rome.

The commission charged with preparing the 1917 *Code of Canon Law* tried to prepare a canon to resolve the problem, but with no success. Its members, it turned out, followed various schools of thought on what constituted the essential rites for the various orders. A list of questions was submitted to Pius X, who passed it along to the Holy Office (the Vatican's chief doctrinal tribunal) for study and an eventual decision. (See F. Hürth, "Commentarius ad Cons. Apostolicam *Sacramentum Ordinis*," *Periodica* 37 [1948], 9-11.)

The decision arrived forty years later when Pius XII definitively settled the issue in his 30 November 1947 Constitution *Sacramentum Ordinis*. The pontiff declared that for conferring the Orders of diaconate, priesthood and episcopacy the essential matter was the same: the imposition of hands.

Only one imposition takes place in the Rite of Episcopal Consecration (with both hands) and only one (with one hand) in the Rite of Diaconal Ordination. These Pius XII designated as the matter for the respective orders.

For Ordination to the Priesthood the traditional rite prescribed: (1) both hands imposed in silence after the Litany, (2) one hand held extended immediately thereafter until a prayer has been recited, and (3) both hands imposed at the end of Mass.

Pius XII designated (1) as the essential matter for the priesthood.

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PIUS XII, EXCOMMUNICATION, AND TRADITIONAL CATHOLIC BISHOPS

Rev. Anthony Cekada
November 25, 2000

Controversialists have sometimes invoked a 1951 decree and a 1958 encyclical of Pius XII against various traditional Catholic bishops, including those consecrated by Abp. P.M. Ngô-dinh-Thuc.

The two documents excommunicated certain Chinese bishops whose consecrations the Red Chinese government had arranged in order to set up a stooge hierarchy in China under Communist control.

The 9 April 1951 Decree establishing the automatic penalty of excommunication for the consecration of a bishop reads as follows:

Decree concerning the Consecration of a Bishop without Canonical Appointment.

The Supreme Sacred Congregation of the Holy Office, in virtue of a special faculty established for it by the Supreme Pontiff, publishes the following Decree:

A Bishop, of whatever rite or dignity, who consecrates as a Bishop someone who is neither nominated by the Holy See nor expressly confirmed by that same See, and he who receives consecration, even if coerced by grave fear (c. 229:3, 3), incur *ipso facto* [automatically] excommunication most especially reserved to the Apostolic See.

This Decree takes effect from the date of its promulgation.

Those who have attempted to invoke this decree in our own circumstances seem to have confused two things:

- 1) The **mandatum**: the papal document **granting permission for the consecration** of a bishop who will serve as a bishop in **any capacity**, including as an

auxiliary or titular bishop, and

- 2) The **canonical appointment**: a papal decree **designating a bishop as Ordinary** (or “residential bishop”) of a **duly constituted diocese**, which appointment auxiliary and titular bishops did *not* receive.

The canonist Fr. Eduardo Regatillo, in his *Institutiones Juris Canonici* (Santander: Sal Terræ 1956), 2:600, states that the 1951 decree affects only bishops consecrated without papal appointment to be **heads of dioceses**.

Anyone who is to be promoted to the episcopacy needs the canonical appointment by which he is constituted Bishop of a such a vacant diocese.

In practice, it may be doubted whether only those who are to be consecrated *residential* Bishops are affected – that is, those who are consecrated for a diocese now in existence – or also *titular* bishops (who are created for an extinct see or diocese), or bishops who are consecrated for no diocese.

From the purpose intended by the Holy Office, the decree appears to cover only those who are consecrated as **residential bishops**, for this is the actual case which the Holy See intends to condemn - -

This new type [of offense] differs from the one mentioned in canon 2370, where the canon refers to consecrations performed **without apostolic mandate** (described in canon 953). The new decree, on the other hand, punishes consecrations performed **without pontifical appointment**.

An **appointment** designates the person and bestows the title [to an office]. A **mandate** grants the permission to confer the consecration.

Regatillo’s interpretation is confirmed a reading of Pius XII’s encyclical *Ad Apostolorum Principis* (1958), especially paragraphs 45-48.

No traditional Catholic bishop – at least none of our acquaintance – has been consecrated to the episcopacy and then received illegal designation and title to a diocese established by the Roman Pontiff.

Traditional Catholic bishops are consecrated for *no* diocese. One cannot claim, therefore, that the 1951 Decree applies to them.

BAPTISM OF DESIRE AND THEOLOGICAL PRINCIPLES

What Principles Must Catholics Follow to Arrive at the Truth?

Rev. Anthony Cekada

2000

Over the years I have occasionally encountered traditionalists, both lay and clerical, who followed the teachings of the late Rev. Leonard Feeney and the St. Benedict Center concerning the axiom “Outside the Church there is no salvation.” Those who fully embrace the Feeneyite position reject the common Catholic teaching about baptism of desire and baptism of blood.

Catholics, however, are not free to reject this teaching, because it comes from the Church’s **universal ordinary magisterium**. Pius IX stated that Catholics are required to believe those teachings that theologians hold “belong to the faith,” and to subject themselves to those forms of doctrine commonly held as “theological truths and conclusions.”

In 1998, I photocopied material on baptism of desire and baptism of blood from the works of 25 pre-Vatican II theologians (including two Doctors of the Church), and assembled it into a dossier. All, of course, teach the same doctrine.

Behind the Feeneyite rejection of this doctrine lies a rejection of the principles that Pius IX laid down, principles that form the basis for the whole science of theology. He who rejects these criteria rejects the foundations of Catholic theology and constructs a peculiar theology of his own – one where his own interpretation of papal pronouncements is every bit as arbitrary and idiosyncratic as a free-thinking Baptist’s interpretation of the Bible. It is utterly pointless to argue with such a person over baptism of blood and baptism of desire, because he does not accept the only criteria on which a theological issue must be judged.

What follows are notes from a July 15, 2000 conference I gave addressing the principles to be applied in examining the issues of baptism of desire and baptism of blood.

Section I
**What Principles Does the Church
Require You to Follow?**

I. You must believe the teachings of both the solemn and the universal ordinary magisterium of the Church (Vatican I).

A. General Principle:

• “Further, by divine and Catholic faith, all those things must be believed which are contained in the written word of God and in tradition, and those which are proposed by the Church, either in a solemn pronouncement or **in her ordinary and universal teaching power** [*magisterium*], to be believed as divinely revealed.” Vatican Council I, *Dogmatic Constitution on the Faith* (1870), DZ 1792.

B. The Code of Canon Law imposes the same obligation.
(Canon 1323.1)

C. Therefore, you must believe by divine and Catholic faith those things:

- 1) Contained in Scripture or Tradition, *AND*
- 2) Proposed for belief as divinely revealed by the Church’s authority, either through:
 - a) **Solemn pronouncements** (by ecumenical councils, or popes *ex cathedra*) OR
 - b) **Universal ordinary magisterium** (teaching of the bishops together with the pope, either in council, or spread throughout the world.)

D. This is not “optional,” or “a matter of opinion.”

- It defines the *object of faith* – what you are obliged to believe.
- Further, it is *de fide definita* – an infallible, unchangeable, solemn pronouncement.

II. You must believe those teachings of the universal ordinary magisterium held by theologians to belong to the faith (Pius IX).

- “For even if it were a matter concerning that subjection which is to be manifested by an act of divine faith, nevertheless, it would not have to be limited to those matters which have been defined by express decrees of the ecumenical Councils, or of the Roman Pontiffs and of this See, but would have to be **extended also to those matters which are handed down as divinely revealed by the ordinary teaching power of the whole Church spread throughout the world, and therefore, by universal and common consent are held by Catholic theologians to belong to faith.**” *Tuas Libenter* (1863), DZ 1683.

III. You must also subject yourself to the Holy See’s doctrinal decisions and to other forms of doctrine commonly held as theological truths and conclusions. (Pius IX).

A. General Principle

- “But, since it is a matter of that subjection by which in conscience all those Catholics are bound who work in the speculative sciences, in order that they may bring new advantage to the Church by their writings, on that account, then, the men of that same convention should realize that it is **not sufficient for learned Catholics to accept and revere the aforesaid dogmas of the Church**, but that it is also necessary to subject themselves to the decisions pertaining to doctrine which are issued by the Pontifical Congregations, and also to those forms of doctrine which are held by the common and constant consent of Catholics as **theological truths and conclusions, so certain that opinions opposed to these same forms of doctrine, although they cannot be called heretical, nevertheless deserve some theological censure.**” *Tuas Libenter* (1863), DZ 1684.

B. You must therefore adhere to the following:

- 1) Doctrinal decisions of Vatican Congregations (*e.g., the Holy Office*).
- 2) Forms of doctrine held as:
 - a) Theological truths and conclusions.
 - b) So certain that opposition merits some theological censure short of “heresy.”

IV. You must reject these condemned positions on this issue:

A. Theologians have “obscured” the more important truths of our faith. (Condemned by Pius VI)

• “The proposition which asserts ‘that in these later times there has been spread a general obscuring of the more important truths pertaining to religion, which are the basis of faith and of the moral teachings of Jesus Christ,’ **HERETICAL.**” *Auctorem Fidei* (1794) DZ 1501.

B. Catholics are obliged to believe only those matters infallibly proposed as dogmas. (Condemned by Pius IX)

• “And so all and each evil opinion and doctrine individually mentioned in this letter, by Our Apostolic authority We reject, proscribe, and condemn: and We wish and command that they be considered as absolutely rejected, proscribed and condemned by all the sons of the Catholic Church - - 22. The obligation by which Catholic teachers and writers are absolutely bound is restricted to those matters only which are proposed by the infallible judgement of the Church, to be believed by all as dogmas of the faith.” **CONDEMNED PROPOSITION.** Encyclical *Quanta Cura* and *Syllabus of Errors* (1864), DZ 1699, 1722.

C. Encyclicals do not demand assent, because popes are not exercising their supreme power. (Condemned by Pius XII)

• “It is not to be thought that what is set down in Encyclical Letters does not demand assent in itself, because in these the popes do not exercise the supreme powers of their magisterium. For these matters are taught by the ordinary magisterium, regarding which the following is pertinent ‘He who heareth you, heareth me.’; and usually what is set forth and inculcated in Encyclical Letters, already pertains to Catholic doctrine.” *Humani Generis* (1950), DZ 2313.

Section II

Why the Church Requires You to Believe or Adhere to Doctrines Commonly Taught by her Theologians.

Résumé translated by Fr. Cekada from Fr. Reginald-Maria SCHULTES OP, *De Ecclesia Catholica: Prælectiones Apologeticæ* [*Apologetic Lectures on the Catholic Church*], 2nd ed., Paris: Lethielleux 1931, pp. 667ff. This book was used by students for Doctoral degrees in theology in Roman Universities in the early 1900s. Fr. Schultes held the highest theological degree in the Dominican Order (OPS ThMagister), and was a Professor at the Pontifical University of the Angelicum in Rome. Sections marked with asterisks (*) = additional comments by Fr. Cekada.

I. Introductory Concepts

A. Definition of Theologian = “learned men who after the time of the Church Fathers scientifically taught sacred doctrine in the Church.”

- 1) *in the Church* = in union with the Church, either with: (a) a Specific mission from the Church or (b) the Consent of the Church, either express or tacit.
- 2) *doctrine* = either dogma or moral.

B. General Types of Theology

- 1) *Positive* = investigates and expounds the contents of Scripture and the Fathers.
- 2) *Scholastic* = seeks understanding of the faith through use of Scripture, the Fathers, reason (syllogisms), philosophic principles (in explaining revelation, drawing conclusions and formulating definitions).

C. *The Education and Career of a Theologian*

- *Minor Seminary*: 6 years. Latin, liberal arts.
- *Philosophy*: 2-3 years. Logic, Metaphysics, Cosmology, Psychology, Criteriology, etc.
- *Theology*, studied at a Pontifical University: Dogmatic, Moral, Pastoral courses studied by ordinary clergy, 4-5 years. (In 1st year, the criteria for settling theological issues.) S.T.L. degree. Ordination at about age 25. Doctoral studies, 2-4 years. Research, dissertation, public defense of dissertation before examiners of a Pontifical University. S.T.D. degree.
- *Early Career*: Teaching undergraduate university courses. Assisting senior professors with research. Writing and researching own articles. Publication of articles in journals. (All are scrutinized by professors, and must be reviewed by ecclesiastical superiors, and given an Imprimatur.) Review by senior faculty.
- *Middle Career*: (If successful.) Assistant Professorship in Pontifical University. Selection as associate author of a major work by a recognized theologian. Continued research, and publication of articles in journals. (All with peer review and ecclesiastical approval.)
- *Later Career*: (If successful.) Full Professorship at a Pontifical University. Authorship of a work considered a significant contribution in a particular field. Continued research, and publication of articles in journals. (All with peer review and ecclesiastical approval.)
- *The Top of the Heap*: (Only the very best.) Head of a department at a Pontifical University. Authorship of a multi-

volume manual in dogmatic or moral theology that is considered an outstanding contribution in its field, and used in seminaries and universities throughout the world. Appointment by pope as a Consultor to one of the departments of the Roman Curia. Invitation to draft an Encyclical or papal legislation. The Cardinal's hat. Canonization as a saint. The title "Doctor of the Church."

- *Conclusion to Be Drawn*: The theologians who were acknowledged as the best in their fields before Vatican II possessed a knowledge and expertise in Catholic doctrine that was overwhelmingly superior to that of a layman or the average parish priest.

II. Opponents to Authority of Theologians

A. **Humanists**. (Rejected supernatural principles. Put man at center of universe.)

B. **Protestants** (Rejected doctrines theologians defended.)

- 1) *Luther*. Scholastic theology is "ignorance of the truth and inane falsehood."
- 2) *Melanchthon*. Scholastic theology is "the Gospel obscured, the faith extinguished."

C. **Jansenists** (Claimed that theologians "obscured revealed doctrine.")

D. **Modernists**, liberals, rationalists (Reject the immutable nature of truth.)

III. Church Doctrine on the Issue

A. Papal Pronouncements

1. Pius VI. *Condemns the following propositions of the Synod of Pistoia* (1794):

- a) That the scholastic method “opened the way for inventing new systems discordant with one another with respect to truths of a greater value, and which finally led to probabilism and laxism.” DZ 1576.
- b) “The assertion which attacks with slanderous charges the opinions discussed in Catholic schools about which the Apostolic See has thought that nothing yet needs to be defined or pronounced.” DZ 1578.
- c) “The proposition which asserts ‘**that in these later times there has been spread a general obscuring of the more important truths pertaining to religion, which are the basis of faith and of the moral teachings of Jesus Christ, heretical.**’” DZ 1501.

2. Pius IX. *Reproof to those who reject the teachings of scholastic theology.*

• “Nor are we ignorant that in Germany there also prevailed a false opinion against the old school, and against the teaching of those supreme Doctors, whom the universal Church venerates because of their admirable wisdom and sanctity of life. **But by this false opinion the authority of the Church itself is called into danger**, especially since the Church, not only through so many continuous centuries has permitted that theological science be cultivated according to the method and the principles of these same Doctors, sanctioned by the common consent of all Catholic schools, but it [the Church] also very often extolled their theological doctrine with the highest praises, and strongly recommended it as a very strong buttress of faith and a formidable armory against its enemies.” *Tuas libenter*, 1863, DZ 1680.

3. Leo XIII. *Prescribes use of St. Thomas and his methods.*

B. Practice of Church

- 1) Condemning doctrines contrary to the teaching of theologians.
- 2) Applying scholastic doctrine and methods in her pronouncements.
- 3) Declaring theologians Doctors of the Church. (*Ss. Thomas, Bonaventure, etc.*)

C. The Code of Canon Law

• “Instructors in conducting the study of the subjects of rational philosophy and of theology and in the training of the seminarians in these subjects shall follow the Angelic Doctor’s method, doctrine and principles, and steadfastly adhere to them.” (Canon 1366.2)

IV. Thesis: The unanimous teaching of theologians in matters of faith and morals establishes certitude for the proof of a dogma.

A. First Proof: The connection of theologians with the Church

1. As *men* who study theological science, theologians have only a scientific and historical authority. But as *servants, organs, and witness of the Church*, they possess an authority that is both dogmatic and certain.

2. Church doctrine on matters of faith and morals possesses an authority that is dogmatic and certain. (a) The unanimous teaching of theologians *testifies and expresses* the doctrine of the Church, because the Church accepts the common teaching of theologians as true and as her own when she either tacitly or expressly approves it. (b) Theologians as *ministers and organs of the Church* instruct the faithful in the doctrines of the faith. So, in fact those things preached, taught, held and believed are those same things the theologians propose and teach.

3. And so, because of the theologians’ connection with the Church, their agreement on a doctrine has an authority that

is both dogmatic and certain, because otherwise the authority of the Church herself would be endangered, because she admitted, fostered or approved the [false] doctrine of theologians.

4. This proof is confirmed because the dogmatic authority of theologians is denied by all those and only those who: (a) Deny or refuse to admit the dogmatic authority of the Church; or (b) At least refuse to consider the connection of theologians with the Church. It is no wonder that all enemies of the Church or Catholic truth are likewise enemies of Catholic theology.

B. Second Proof: False principles behind opposing arguments

- Opponents deny the dogmatic authority of theologians by: (1) Breaking the link between the Church and theologians, or by at least denying or diminishing the dogmatic authority of the Church herself. (2) Directly opposing Catholic doctrine which theologians propose and defend. (3) Attempting to introduce erroneous philosophy or other false concepts incompatible with the teaching of the faith.

C. Third Proof: The Effects

- The teaching of the theologians, especially the scholastics, best explains and defends the doctrine of the faith, nourishes and begets faith, and helps and perfects the Christian life. On the contrary, whenever and insofar as the doctrine of the theologians is abandoned, especially that of the scholastic theologians, theological errors, indeed heresies, rise up, and the Christian life falls. All ecclesiastical history bears witness to this, from the Middle Ages to our own time. On one hand, the magnificent explanation and elucidation of Christian doctrine by the scholastic theologians, approved and acclaimed by the Church – whose job it is to judge the truth

of theological doctrine – and faith and exemplary Christian life. On the other hand, heresies, theological errors, declining Christian life – all is proved by the history of the Protestants, Baianists, Jansenists, Modernists, and other opponents of recent theological schools.

V. Objections and Responses (A-C: Fr. Schultes; D-E: Fr. Cekada)

A. Theologians, then, “create” doctrines. *“It is not the job of theologians to determine whether some doctrine is ‘de fide’ or ‘certain’ or ‘Catholic.’”*

- *Response:* Theologians do not ‘determine’ whether some doctrine is ‘*de fide*’ or ‘certain’ or ‘Catholic.’ They merely *demonstrate*, or *manifest* or *give witness* that a particular doctrine is ‘*de fide*’ or ‘certain’ or ‘Catholic.’

B. But theologians erred in the past... *“Throughout history, theologians held various errors, and then disputed about grave issues amongst themselves.”*

- *Response:* I let pass the accusation that scholastic theologians erred in certain questions of the faith. They did not, however, unanimously defend an error as a doctrine of the faith.

C. They cannot reliably explain the meaning of defined doctrine. *“Theologians are reliable witnesses to a doctrine as defined by the Church. But they are not reliable witnesses to the meaning of a doctrine they propose. In this they must be considered only private teachers, interpreting dogma and applying it according to their own philosophy.”*

- *Response:* Theologians are witnesses not only to whether a doctrine is defined, but also to its *meaning*. (a) In explaining and determining the meaning of dogmas, theologians are considered private teachers with regard to the *methods*

they use (arguments, etc.), but not when they propose a doctrine as a doctrine of the faith or the Church, even though they express its meaning to other persons using other concepts and formulas. (b) The opposite opinion obviously sins against the teaching of the Church regarding the authority of theologians. (c) Furthermore, it is absurd to claim that the Fathers of the Church and her theologians erred in setting forth and explaining the meaning of the doctrine of the faith. This opinion involves the Jansenist error that the faith has been “obscured” in the Church.

D. *Theologians and Vatican II* *“The teachings of theologians were responsible for the doctrinal errors of Vatican II. Because these theologians erred and we reject their teachings, we are also therefore free to reject the teaching of earlier theologians if a teaching ‘does not make sense’ to us.”*

- *Response:* The group of European modernist theologians primarily responsible for the Vatican II errors were enemies of traditional scholastic theology and had been censured or silenced by Church authority: Murray, Schillebeeckx, Congar, de Lubac, Teilhard, etc. When the strictures were removed under John XXIII, they were able to spread their errors freely. If anything, **the fact that they had been previously silenced demonstrates the Church’s vigilance against error in the writings of her theologians.**

E. *Private Interpretation of Magisterial Pronouncements* *“I think the infallible pronouncements of the Church are all pretty clear. I don’t need ‘interpretations’ or explanations from theologians. I just take everything literally.”*

- *Response:* Do-it-yourself interpretations and explanation of texts are for Protestants, not Catholics. Theology is a science which operates under the watchful eye of the Church, not a free-for-all for every Catholic with an English

translation of Denzinger. Like any other science, theology operates according to recognized and objective criteria which experts use to arrive at the truth about various propositions. So, if you are not trained in the science, you have no business coming up with your own interpretations for the pronouncements of the magisterium. At best, you'll end up looking ignorant; at worst, you'll end up a heretic.

Additional Explanation from Another Theologian

Résumé translated by Fr. Cekada from material in I. Salaverri SJ. *Tractatus de Ecclesia*, 3rd ed., Madrid, BAC 1955, 846ff.

Thesis 21. The consensus of theologians in matters of faith and morals is a certain criteria of divine Tradition.

A. Dogmatic Value of this Thesis. It is:

- 1) *Catholic Doctrine.* (From the teaching of Pius IX quoted above.)
- 2) *Theologically Certain.* (From the practice of Trent & Vatican I.)

B. Proof of the Thesis

1. *Major Premise.* The consent of theologians in matters of faith and morals is so intimately connected with the teaching Church that an error in the consensus of theologians would necessarily lead the whole Church into error.
2. *Minor Premise.* But the whole Church cannot err in faith and morals. (The Church is infallible.)
3. *Conclusion.* The consensus of theologians in matters of faith and morals is a certain criteria of divine Tradition.

C. Proofs of the Major Premise

1. **Citation of Theological Works.** Popes, bishops, etc.,

from the 8th century onwards taught material which they drew from the teaching of theologians.

2. **Supervision.** From the 12-16th centuries, the Church founded, directed, and watched over all theological schools.

3. **Legislation.** From the time of Trent, theological works were used in seminaries which were supervised by bishops and popes.

4. **Consultation.** Church used theologians as her consultants for doctrinal matters.

5. **Implicit Approval.** The Church implicitly approves the contents of theologians' works by not censuring them, which she is obliged to do in case of theological errors.

6. **Recommendation.** The writings of various theological schools are praised by popes and held out as examples to imitate.

Section III

Pre-Vatican II Theologians Who Teach Baptism of Desire, Baptism of Blood

From dossier with 122 pages of photocopied material

The accompanying table contains a list of pre-Vatican II theologians who teach baptism of desire (= *desiderii*, *flaminis*, *in voto*, etc.) and baptism of blood (= *sanguinis*, *martyrii*, etc.), together with a page reference to the photocopied dossier I prepared. Two, St. Alphonsus de Liguori and St. Robert Bellarmine, are **Doctors of the Church**. Many more such theologians can easily be found. These were merely the works in my private library.

Also given is the **theological category** (if any) each theologian has assigned to the teaching on baptism of blood and baptism of desire. This "category" in theology (also called a theological "note," "qualification," etc.) indicates how close a teaching is to the truths God has revealed and obliges us to believe – whether it is "theologically certain," "Catholic doctrine," *de fide* (of the faith), etc. (Some theologians simply teach the doctrines, and do not assign categories.)

Table of Theological Categories

Theologian or Canonist	Page In Dossier	Theol. Category Bapt. of Desire	Theol. Category Bapt. of Blood
1. Abarzuza	2	<i>de fide</i> , theol. cert	theol. cert.
2. Aertnys	7	<i>de fide</i>	teaches
3. Billot	10-20	teaches	teaches
4. Cappello	23	teaches	certain
5. Coronata	28	<i>de fide</i>	teaches
6. Davis	32	teaches	teaches
7. Herrmann	35	<i>de fide</i>	pertains to faith
8. Hervé	38	theol. cert.	theol. cert. at least
9. Hurter	44	teaches	teaches
10. Iorio	47	teaches	teaches
11. Lennerz	49-59	teaches	teaches
12. Ligouri	61-62	<i>de fide</i>	teaches
13. McAuliffe	67	cath. doctrine	comm. cert. teaching
14. Merkelbach	71	certain	certain
15. Noldin	74	teaches	teaches
16. Ott	77	<i>fidei proxima</i>	<i>fidei proxima</i>
17. Pohle	81	cath. doctrine	cert. doctrine
18. Prümmer	89	<i>de fide</i>	constant doctrine
19. Regatillo.	91, 96	<i>de fide</i>	teaches
20. Sabetti	98	teaches	teaches
21. Sola	102	<i>fidei proxima</i>	theol. certain
22. Tanquerey	107,111	certain	certain
23. Zalba	114	teaches	teaches
24. Zubizarreta	118	teaches	teaches
25. Bellarmine	120	teaches	teaches

Résumé of Theological Categories	Bapt. of Desire	Bapt. of Blood
Common teaching of the doctrines	25 (all)	25 (all)
Theologically certain, certain	3	8
Catholic doctrine, constant	2	1
<i>fidei proxima</i> , pertains to faith	2	2
<i>de fide</i> (of the faith)	7	0

Section IV
**Conclusions from the Foregoing about
Baptism of Desire and Baptism of Blood**

1. All twenty-five theologians teach baptism of blood and baptism of desire, and none reject the teaching, so **both doctrines are held by common consent**.
2. Some theologians categorize the doctrines as **theologically certain**.
3. Some theologians categorize the doctrines as **Catholic doctrine**.
4. Some theologians categorize the doctrines as *de fide* (of the faith).

Section V
**Application of Pope Pius IX's Principle
to the Teaching of these Theologians**

1. **General Principle** (from Pius IX, sect. I: II-III above):

All Catholics are obliged to adhere to a teaching if Catholic theologians hold it by common consent, or hold it as *de fide*, or Catholic doctrine, or theologically certain.

2. **Particular Fact** (from sects. III, IV above, as documented in dossier):

But, Catholic theologians do hold the teaching on baptism of desire and baptism of blood by common consent, or hold it as *de fide*, or Catholic doctrine, or theologically certain.

3. **Conclusion** (1 + 2):

Therefore, all Catholics are obliged to adhere to the teaching on baptism of desire and baptism of blood.

Section VI

Degree of Error and the Gravity of the Sin if You Reject Baptism of Desire, Baptism of Blood

Each theological “category” has a corresponding theological censure attached to it which expresses the degree of error into which someone has fallen by denying a particular teaching.

Below are the various categories theologians attributed to baptism of desire and baptism of blood, along with the corresponding censures and a note on the **gravity of the sin** committed.

<i>Theologians categorize the teachings on the baptisms of desire and blood as one of the following:</i>	YOUR DEGREE OF ERROR <i>(the censure) if you deny the teaching:</i>	GRAVITY OF SIN <i>against the Faith if you deny the teaching:</i>
Theologically certain	Theological error	Mortal sin <i>Indirectly against the faith</i>
Catholic doctrine	Error in Catholic doctrine	Mortal sin <i>Indirectly against the faith</i>
De fide	Heresy	Mortal <i>Directly against the faith</i>

Section VII

General Conclusion

All Catholics are obliged to adhere to the common teaching on baptism of blood and baptism of desire.

According to the norms outlined above, the Feeneyite position represents either theological error, error in Catholic doctrine or heresy.

Those Catholics who adhere to the Feeneyite position on baptism of desire and baptism of blood commit a mortal sin against the faith.

BAPTISM OF DESIRE: AN EXCHANGE

The Fundamental Error of the Feeney Adherents: Rejecting
the rules for belief laid down by Vatican I and Pius IX

Rev. Anthony Cekada

E-mail exchange, February-March 2001

Introductory Note: The notes from my lecture "Baptism of Desire and Theological Principles" were posted on our Web-site in early 2001 and occasioned a lively discussion on the Sacred Heart List, an e-mail discussion group for the adherents of the St. Benedict Center, who follow the teachings of the late Rev. Leonard Feeney SJ. The following is an exchange of e-mails between myself and one St. Benedict Center adherent. – AC

IS THERE TRUE UNANIMITY AMONG THEOLOGIANS?

Dear Fr. Cekada:

It would seem that remarks I made on our Sacred Heart List were passed on to you – as your proposal was passed on to the list. Fair enough. Without going through the other parties I thought I would contact you directly and will forward a copy of my response to our list. And, if you choose to respond in turn, I will post your response as well. I'm certainly not very competent in such things, but I will do the best I can.

To the matter: First of all, I was commenting upon your post as a simple layman and claim no expertise. That being said, I took the time to respond to your initial post because it didn't make sense to me – I can't make it work in reality. Thus, let me attempt to make myself clear – and then, if you choose, you can make yourself clear.

It is your contention (as I understand it – and I am more than willing to accept correction if it is needed) that you hold that those who do not believe in "Baptism of Blood" and "Baptism of Desire" commit sin in that disbelief. So, let's call that point no. 1.

1) Do you claim that people who do not believe in “Baptism of Blood” and “Baptism of Desire” commit sin in that disbelief?

As proof that BOB/BOD was a “dogmatic” matter, you offered a citation from a text by a Dominican theologian which states:

IV. Thesis: *The unanimous teaching of theologians in matters of faith and morals establishes certitude for the proof of a dogma.*

A. First Proof: The connection of theologians with the Church.

1. As men who study theological science, theologians have only a scientific and historical authority. But as servants, organs, and witness of the Church, they possess an authority that is both dogmatic and certain.

You then provided a list of 25 theologians (I no longer have the original post, not that it matters) who accept BOB/BOD to one degree of certainty or another – but not all are unanimous in the “way” they hold BOB/BOD, but are, by your accounting, all “believers” in BOB/BOD. I pray I have stated all of that correctly – lest there be any misunderstanding.

Thus, I would ask you:

2) If all of these theologians hold BOB/BOD as a doctrinal certainty (or, as the thesis above, which you have made your own by citation, calls “dogma”) – why should there be any deviation in their “level” of acceptance? Are dogmas to be accepted by “level” of belief according to the mind of the particular theologian, or by some “degree” of certainty? How can that be so with a matter (“dogma”), which by definition – must be believed?

3) Because this thesis rests upon the phrase “the unanimous teaching of theologians of faith and morals,” is a group of 25 the number which must be used to determine “dogma” according to the thesis you have provided?

4) If, as an example, we included within your number of theologians St. Francis Xavier, who did not accept BOB/BOD – is 25 out of 26 “unanimous”?

5) As a matter of fact, Fr. Leonard Feeney was a card-carrying theologian. If we add him to your group, and the number is now 25 to 2 – Is the teaching still “unanimous”?

6) What is the number? How many theologians must not agree before there is no longer a “unanimous teaching of theologians”? If the number is more than one, what is the definition of “unanimous” that you have (the one I have which means “to a man – all, everyone without exception,” must be defective)?

7) What about the theologians at the Council of Trent – those who defined the canons regarding the Sacrament of Baptism: do they count or do they not count? They were theologians; they are dead – but they do not agree with your theory, do they? Because they do not agree, must they be eliminated? If they are not eliminated, how can you ever claim a “unanimous” teaching unless you hand pick the theologians and only consider the views of your hand-picked group? And if you hand pick the theologians just because they believe what you are trying to promote, of what value is that?

You proposed that I spend \$15 to find out how BOB/BOD are defined.¹ If you believe that BOB/BOD are dogmatic (and if you do not propose they are dogmatic, why use the citation above which deals with “certitude for the proof of a dogma”) which requires assent of the intellect and will by the faithful, are they so complicated that it requires a \$15 essay to define them? What could possibly be so difficult? Perhaps, instead (and you can save me the money), you could please provide all of official Church pronouncements, conciliar documents, encyclicals, apostolic constitutions, instructions, etc., which: a) define the terms “Baptism of Desire” and “Baptism of Blood.” b) declare, define, and pronounce that “Baptism of Desire” and “Baptism of Blood” are sufficient unto salvation without the necessity of the Sacrament of Baptism.

Those items should clear up the matter so that all of those of us on the Sacred Heart List might be set straight in our

¹ This refers to a 125-page dossier of photocopies from the works of the 25 theologians I cited.

thinking.

I pray that I have not confused “doctrinal” with issues of fact or ecclesiastical law as I previously did – that’s the trouble with lay people, I know.

I’m sure our list would like to this matter pursued. I (and they) await your response to these simple questions. We can go from there.

Sincerely,
– N.N.

A CATHOLIC’S OBLIGATIONS, UNANIMITY & MORTAL SIN

Dear N.N.:

Thank you for your e-mail.

Some correspondents have still not understood my point, so before addressing your questions, I will repeat it as simply as I can.

(Readers who are receiving this material for the first time should consult my article “Baptism of Desire and Theological Principles”, where they will find my complete argument, together with quotes and citations to support my claims in Section I below.)

I. Your Obligations as a Catholic

A. Vatican I (Dz 1792) obliges you to **believe by divine and Catholic faith those things:**

- 1) Contained in Scripture or Tradition, AND
- 2) Proposed for belief as divinely revealed by the Church’s authority, either through:
 - a) **Solemn pronouncements** (by ecumenical councils, or popes *ex cathedra*) OR
 - b) **Universal ordinary magisterium** (teaching of the bishops together with the pope, either in

council, or spread throughout the world.)

B. Pius IX further specified (*Tuas Libenter* [1863], Dz 1683) that you must believe those teachings of the universal ordinary magisterium **held by theologians to belong to the faith.**

C. Pius IX specified still further (*ibid.* Dz 1684) that you must also adhere to:

- 1) Doctrinal decisions of Vatican Congregations (e.g., the Holy Office)
- 2) Forms of doctrine held as:
 - a) **Theological truths and conclusions,**
 - b) **So certain that opposition merits some theological censure** short of “heresy.”

D. Conclusions to be drawn from the foregoing:

- Points A-C are the criteria Vatican I and the Roman Pontiff have laid down for judging theological issue.
- Accordingly, no Catholic is free to reject them.
- They are, moreover, first principles in the science of theology.
- The teaching of theologians on baptism of desire and baptism of blood falls squarely into categories A-C.
- You must therefore adhere to this teaching.

II. Misc. Questions & Objections

1. Is Rejection a Sin? As I demonstrated in my original article, the teaching on baptism of desire/blood falls into the categories mentioned above.

According to Cartechini (*De Valore Notarum Theologicalarum*, [Rome: Gregorian University 1951], 134-5), rejecting a teaching so categorized is a mortal sin against the faith.

Those who reject baptism of blood or baptism of desire,

therefore, commit mortal sin.

2. Different categories assigned by theologians? Some correspondents believe that ALL theologians would assign the same theological “categories” (“notes,” “qualifications,” etc.) to baptism of desire and baptism of blood if a Catholic were truly obliged to accept the teachings.

This is false.

Collectively, *all* the theologians cited agree that baptism of desire and baptism of blood are “in conformity with the truth presented in the Sources of Revelation and the Universal Magisterium” – otherwise, they would not teach the doctrines.

Individually, the theologians may indeed assign different categories to the doctrines – theologically certain, Catholic doctrine, *de fide*, etc. But *any* of these categories still place the teaching on baptism of desire and baptism of blood among those teachings Catholics must believe and adhere to. (See I.A-C.)

The specific category assigned is important for another reason. Each has a corresponding *theological censure* which indicates your degree of error if you deny the doctrines – whether your denial constitutes theological error, error in Catholic doctrine, or heresy.

3. Does one dissenting theologian destroy unanimity? I assume this is the point behind the questions about numbers and unanimity.

The answer is no. Salaverri explains that it is only necessary that the consensus of theologians be “*morally* unanimous,” (*Tractatus de Ecclesia*, 3rd ed. [BAC, 1955], 858), as distinguished from *physically* unanimous.

But I think the question is moot. Theologians generally cite adversaries to a doctrine they are defending. In the case of baptism of desire and baptism of blood, the adversaries seem to be few and disreputable.

The following is from Sola’s discussion of baptism of desire and baptism of blood:

Adversaries: Certain heretics have affirmed that “no adult can be saved without receiving baptism itself before he dies, however much he would burn with desire for it, and that it would do him no good unless he were washed with water.” Baius [in a proposition condemned by Pope St. Pius V] also taught that charity was not always joined to the remission of sins.

Against the second part [baptism of blood] there are hardly any adversaries, save for a few theologians who disagree over the manner in which the martyrdom achieves its effect. (*De Sacramentis*, [BAC 1954], 69. His emphasis.)

The heretics who denied baptism of desire were opposed by the Doctor and Father of the Church, St. Bernard of Clairvaux (ob. 1153), whom Sola also quotes.

4. St. Francis Xavier, Fr. Feeney: Theologians? As I explained in Section II of my original article, the term “theologian” connotes extensive research work, a distinguished teaching career at a Pontifical University, publication of multi-volume theological treatises, etc.

As far as I know, St. Francis Xavier would not meet these criteria. His writings, as I recall, were limited to letters.

Nor would Fr. Feeney. His earlier writings were popular religious works. And his later works would not meet the fourth criteria Salaverri lays down: “orthodoxy in doctrine acknowledged by the Church, at least insofar as [his] writings are used by the faithful and students knowingly and without reproof by the Magisterium of the Church.” (*de Ecclesia*, 857.)

5. Trent, Definitions, “Official” Pronouncements. Baptism of desire and baptism of blood are defined in essentially the same way in the works I cited.

A. Desire. St. Alphonsus Liguori defines baptism of desire (*flaminis*) as: “Perfect conversion to God through contrition or love of God above all things, with the explicit or implicit desire [*voto*] for true Baptism of water, in whose place it may supply, according to the Council of Trent.” He cites Session 14, on Penance, ch. 4.

St. Alphonsus further states: "It is *de fide* that men may be also be saved through baptism of desire – from the chapter *Apostolicam, de presb. non bapt.* and from the Council of Trent, where it is said that no one can be saved '*without the washing of regeneration or the desire for it*.'" (*Theologia Moralis*, ed. nova. [Rome: Vatican 1909] 3:96-7.)

The first citation is to an Epistle of Pope Innocent II (1130-43), who stated that a priest who "had died without the water of baptism, because he had persevered in the faith of Holy Mother the Church and in the confession of the name of Christ, was freed from original sin and attained the joy of the heavenly fatherland." (Dz 388)²

Other theologians also cite Trent and Innocent II for these definitions. They also cite Pope Innocent III's decree in 1206 concerning a Jew who desired baptism but was not able to be validly baptized: "If, however, such a man had died immediately, he would have flown to his heavenly home at once, because of the faith of the sacrament, although not because of the sacrament of faith." (Dz 413)³

Some add Pope St. Pius V's condemnation of the following proposition of Baius: "Perfect and sincere charity - - can exist both in catechumens and in penitents without the remission of sins." This is cited because: "The contradictory of this proposition is true. Therefore, charity cannot exist in unbaptized catechumens without the remission of their sins." (McAuliffe, *Sacramental Theology*, 84.)

B. Blood. St. Alphonsus defines baptism of blood as: "The shedding of blood, or death tolerated, for the faith or for

² This citation was accidentally omitted from my original e-mail.

³ Feeney adherents sometimes claim that this decision and that of Innocent II have no binding force for Catholics because they are "mere private letters." This is false. The documents are *Epistolæ*, which in Canon Law are classed among official Pontifical Acts. Both documents were included in the *Corpus Juris Canonici*, the official collection of church laws which preceded the 1917 Code of Canon Law. It is worth noting that the 1206 decree is the work of Innocent III, who also approved the 1215 decree of Lateran IV containing the phrase: "One indeed is the universal Church of the faithful, outside which no one at all is saved" – the axiom Feeney adherents try to cite *against* baptism of desire. Innocent III, it seems, saw no contradiction between one teaching and the other. It would be 700 years until his error would finally be discovered and corrected in Boston.

another Christian virtue.” As sources, he cites, among others, St. Thomas, St. Robert Bellarmine, Suarez and Cajetan. (*ibid.*)

As Sola noted (see above), opposition to this doctrine was virtually non-existent. The Magisterium does not usually intervene to issue a solemn definition for a common teaching unless it is widely attacked by heretics.

III. Summing Up

Once again, before a Catholic can resolve a *specific* theological issue, he must first understand and accept the *general* theological principles the Church lays down as criteria for determining what must be believed.

Vatican I and the Roman Pontiff have unambiguously specified the type of teaching you must believe and adhere to:

- Solemn pronouncements of the extraordinary Magisterium.
- Teachings of the universal ordinary Magisterium.
- Teachings held by theologians to belong to the faith.
- Doctrinal decisions of the Vatican congregations.
- Theological truths and conclusions so certain that opposition to them merits some theological censure short of “heresy.”

The standard teachings on baptism of desire and baptism of blood (as was amply documented in my original article) fall into these categories.

You must therefore adhere to these teachings.

Further, no matter *what* category theologians have assigned to these teachings – theologically certain, Catholic doctrine or *de fide* – rejecting them has the same consequences in the moral order: you commit a **mortal sin** against the faith.

And finally, you must reject the notion promoted in pro-Feeney circles that such teachings may be ignored because a Catholic’s obligation “is restricted to only those matters

that the infallible judgment of the Church has proposed to be believed by all as dogmas of the faith” – for that is a principle the Church condemned in the *Syllabus of Errors*. (Dz 1722)

Yours in Christ,
- The Rev. Anthony Cekada

BAPTISM OF DESIRE: CONTRA-DICTED BY TRENT?

Dear Fr. Cekada:

Thank you for your response.

As we progress, and reiterating the fact that I am not a theologian, I would like to take a little different tack here than normally one might see in such an exchange. Let me say first, that I while I believe that I am an open-minded individual, I am more than willing, and surely this is a result of God's grace, to submit to all of that which the Church has solemnly defined and declared that I must believe. However, as I mentioned in my previous post, that which you propose, i.e., that BOB/BOD (I hope you don't mind the shorthand) are “de fide” – is something about which you will have to convince me. Hopefully I will be able to make my simple approach understandable. And, if you don't mind, Father, perhaps we might approach this matter one point at a time. I'm a slow learner and have a short attention span. Thus, let's start at the top and move downward.

You wrote:

I. YOUR OBLIGATIONS AS A CATHOLIC.

A. Vatican I (Dz 1792) obliges you to believe by divine and Catholic faith those things:

- 1) Contained in Scripture or Tradition, AND

- 2) Proposed for belief as divinely revealed by the Church's authority, either through:
 - a) Solemn pronouncements (by ecumenical councils, or popes *ex cathedra*) OR
 - b) Universal ordinary magisterium (teaching of the bishops together with the pope, either in council, or spread throughout the world.)

The Council of Trent states: (Dz 858, 861)

Can. 2. If **anyone** shall say that **real and natural water is not necessary for baptism**, and on that account those words of our Lord Jesus Christ: "Unless a man be born again of water and the Holy Spirit" (John 3:5), are distorted into some sort of metaphor: let him be anathema.

Can. 5. If anyone shall say that baptism is optional, that is, not necessary for salvation: let him be anathema.

Therefore, Father, I have six elementary questions I would pose to you:

1) Does your item "2(a) Solemn Pronouncements" by ecumenical councils include the solemn pronouncements of the ecumenical Council of Trent?

2) The answer, of course, is, "yes." Therefore, based upon your initial statement "A" which states one's obligation as a Catholic to believe by divine and Catholic faith those things which are - - "(a) Solemn pronouncements (by ecumenical councils)" does it not apply to the canons on the Sacrament of Baptism cited here?

3) In other words, how can one accept with divine and Catholic faith that which Trent has solemnly defined in the canon on the necessity of the Sacrament of Baptism for salvation (canon 5 above), and then deny the very canon by proposing that the Sacrament of Baptism is not necessary for salvation (which would carry an anathema according to the canon) – without incurring the anathema?

4) How can one accept with divine and Catholic faith that which Trent has solemnly defined in the canon on the neces-

sity of “pure and natural water” for the Sacrament of Baptism (canon 2 above) and then deny that “real and natural water” are necessary for baptism (which, likewise, carries an anathema according to the canon)?

5) While you have stated that one is obligated to believe these canons by “divine and Catholic faith” (because they are solemn pronouncements of an ecumenical council) – do you now propose that one does *not* have to believe these canons?

6) If one accepts these canons as they are written (which Vatican I’s *Dei Filius*, chapter 4 declares we must), and, for that matter the whole of the pronouncements of the Council of Trent, as they are written, does one, in any way, fall into error?

That should get us off to a smashing start, don't you think!

In union with His Holiness,
Pope John Paul II
- N.N.

FIRST ASK: WHAT ARE THE CRITERIA FOR OUR BELIEF?

Dear N.N.:

Thank you for your e-mail.

Unfortunately, by going directly to a series of questions about the *particular* issue of baptism of desire, you pass over the key to this discussion: Ascertaining all the *general criteria* by which a particular issue such as this must be judged.

My original article, “Baptism of Desire and Theological Principles,” began by setting forth the “**general rules for belief**” that the Church imposes upon Catholics. What *kinds* of teaching are we obliged to adhere to?

Answering this question establishes the *general* principles, or the rules of evidence, for discussing *any* point of Catholic teaching. Only when all these principles are estab-

lished can one then look at a *particular* issue.

Vatican I and Pius IX laid down these general principles by establishing **all** the following as the types of teaching that a Catholic must believe and adhere to:

- 1) Solemn pronouncements of the extraordinary Magisterium.
- 2) Teachings of the universal ordinary Magisterium.
- 3) Teachings of the universal ordinary Magisterium held by the universal and common consent of theologians to belong to the faith.
- 4) Doctrinal decisions of the Vatican congregations.
- 5) Theological truths and conclusions so certain that opposition to them merits some theological censure short of “heresy.”

Fr. Feeney’s followers (and many traditionalists) seem to have the impression that a Catholic’s obligation is pretty much limited to point 1 on the list. Your letter stops after point 2 and then asks a series of questions.

But a Catholic has to accept **all** these criteria, and consequently also believe or adhere to all the teachings which fall under points 2-5.

Otherwise, a reasonable discussion of almost any theological point among Catholics becomes entirely impossible, because some of the Church’s standards have been set aside.

So, I ask you to reread Section I of my original article, with particular attention to the quotes from *Tuas Libenter* and the *Syllabus of Errors*, in order to verify that points 2-5 above do in fact accurately represent the obligations that Pius IX laid down.

I think that if you carefully study the issue, you will come to understand and accept the Church’s requirements as regards points 2-5.

Acknowledging these as first principles would go a long way towards resolving any difficulties over the specific issue of baptism of desire and baptism of blood.

Please take your time in replying. I’ll be away for about

two weeks (seminary teaching and missions) and I won't have access to e-mail.

Yours in Christ,
- The Rev. Anthony Cekada

BAPTISM OF DESIRE IS THE REAL POINT

Dear Fr. Cekada:

Thank you for your e-mail. You wrote:

Unfortunately, by going directly to a series of questions about the *particular* issue of baptism of desire, you pass over the key to this discussion: Ascertaining all the *general criteria* by which a particular issue such as this must be judged.

Actually, Father, it was not my intent to cause confusion in this matter, but merely my intent to go directly to the points which you presented – in the order you presented them. I understand what you believe the "key" to the discussion is – but I also know what the "point" of the discussion is. Therefore, I will do this again – hopefully it will be clearer. When we have resolved the first 2 points we can get on to those which follow.

You wrote:

I. YOUR OBLIGATIONS AS A CATHOLIC.

A. Vatican I (Dz 1792) obliges you to believe by divine and Catholic faith those things:

- 1) Contained in Scripture or Tradition, AND
- 2) Proposed for belief as divinely revealed by the Church's authority, either through:
 - a) Solemn pronouncements (by ecumenical councils, or popes *ex cathedra*) OR
 - b) Universal ordinary magisterium (teaching of the

bishops together with the pope, either in council,
or spread throughout the world.)

I accept that a Catholic is obliged to believe by divine and Catholic faith these mentioned above (this is not meant to exclude others, but at this point, taking your post point by point, this is what I am addressing).

Therefore, we are in complete agreement regarding point (1) and I accept that Vatican I obliges a Catholic to believe by divine and Catholic faith those things which are contained in Sacred Scripture and Tradition.

Further, we are in complete agreement that Catholics are obliged to believe by divine and Catholic faith those things which are “Proposed for belief as divinely revealed by the Church’s authority, either through: (a) solemn pronouncements (by ecumenical councils (by ecumenical councils, or popes (ex cathedra) or (b) through the universal ordinary Magisterium” (as the Magisterium is defined by Holy Mother Church).

Now: back to the point I was making in my second post. Two questions:

- 1) Are the “solemn pronouncements” of the Council of Trent included in 2. (a)?
- 2) If you hold that the solemn pronouncements of the Council of Trent are to be included in category of “solemn pronouncements by ecumenical councils,” are Catholics obliged to believe in them with a “divine and Catholic faith”?

If Catholics are obliged to believe in the solemn pronouncements of the Council of Trent with a “divine and Catholic faith,” are the following canons on the Sacrament of Baptism, shown below, (Dz 858, 861) included in the solemn pronouncements of the Council of Trent:

Can. 2. If **anyone** shall say that **real and natural water is not necessary for baptism**, and on that account those words of our

Lord Jesus Christ: “Unless a man be born again of water and the Holy Spirit” (John 3:5), are distorted into some sort of metaphor: let him be anathema.

Can. 5. If anyone shall say that baptism is optional, that is, not necessary for salvation: let him be anathema.

If the canons cited here on the Sacrament of Baptism are included in the solemn pronouncements of the Council of Trent, and therefore must be believed by a Catholic with divine and Catholic faith, would you please respond to the questions below, which – tied directly to the second point in your inclusion – respond, in context, to your thesis that anyone who does not accept BOB/BOD commits sin – then we can go on to the next point.

[Questions 2-6 from previous e-mail repeated]

I pray this added explanation suffices.

In union with His Holiness,
Pope John Paul II
- N.N.

YOUR FUNDAMENTAL ERROR: A REFUSAL OF SUBMISSION

Dear N.N:

Thank you for your March 10th e-mail. It was awaiting me when I returned from the seminary.

The discussion must always come back to the principles or the criteria that determine what a Catholic is obliged to believe.

You ask me a series of questions, for instance, aimed at demonstrating that (1) belief in baptism of desire or blood contradicts Trent's canons 2 and 5 on the sacrament of baptism, and that (2) this supposed contradiction nullifies the obligations that Vatican I and Pius IX imposed upon

Catholics to submit to teachings of the universal ordinary magisterium.

We could, of course, trade quotes over the specific issue in point (1). Other priests, it seems, have spent a long time doing this.

I myself would begin with passages from St. Alphonsus' *Theologia Moralis* explicitly affirming both canon 2 and baptism of desire as *de fide*. I would then follow with a raft of material from other post-Tridentine theologians, and then perhaps throw in something from the *Dictionnaire de Théologie Catholique* about the specific heresies (Luther's teaching that beer or milk could be used to confer the sacrament of baptism; Calvin's, that "water" in John 3:5 was only a metaphor for the Holy Ghost) that canon 2 was formulated to condemn.

But this would be a waste of time. None of it would even register. Why?

The real problem still boils down to point (2): **You and I do not follow the same *criteria* for determining what a Catholic is obliged to believe.**

I submit to the criteria Vatican I and Pius IX laid down for the teachings that Catholics must believe and adhere to:

- 1) Solemn pronouncements of the extraordinary Magisterium.
- 2) Teachings of the universal ordinary Magisterium.
- 3) Teachings of the universal ordinary Magisterium held by the universal and common consent of theologians to belong to the faith.
- 4) Doctrinal decisions of the Vatican congregations.
- 5) Theological truths and conclusions so certain that opposition to them merits some theological censure short of "heresy."

None of these should surprise anyone – all were standard principles in pre-Vatican II theology manuals. In my original article, I reproduced the passages from Vatican I, *Tuas Libenter* and the *Syllabus of Errors* that imposed these obli-

gations.

The tenor of your questions, however, makes it clear that you do not submit to these obligations.

Rather, you wish to debate them somehow, by implying that baptism of desire or blood contradict canons 2 and 5, and that those who reject your position must now defend or justify Vatican I and Pius IX's criteria.

But these criteria are *not* open to debate – not among Catholics, anyway.

In practice, your criteria (and those of the typical Feeney adherent) appear to be these:

- 1) **No anathema, no belief.** A Catholic's obligation to adhere to Church teaching is restricted to only those matters that the infallible judgment of the Church has solemnly proposed for belief as dogmas of the faith.
- 2) **Free interpretation of magisterial texts.** The individual lay Catholic is free to determine for himself the "literal meaning" of these (few) solemn infallible pronouncements, and contradict what popes, bishops, and approved theological manuals have taught about them for centuries.

The first principle was condemned by Pius IX in the *Syllabus of Errors* (Dz 1722).

The second is the Protestant principle of unmediated free interpretation – but instead of a Bible, each lay believer examines a vernacular Denzinger.

So, when you ask me, "If one accepts these canons [on baptism] as they are written - - does one, in any way, fall into error?" my response is: If someone accepts them as *you* think they were written, he falls in every way into error.

For you approach these canons, and indeed all pronouncements of the magisterium, without having first submitted to *all the obligations* for belief or adherence that Vatican I and Pius IX imposed.

This refusal of submission – and not the particular issue

of *extra Ecclesiam* – is the fundamental error from which all the other errors of Feeneyism flow.

The Church's requirements are a package. You accept and submit to them *all*, or you can't honestly call yourself a Catholic.

And no matter what category theologians may attach to baptism of desire or baptism of blood – *de fide*, Catholic doctrine, or just "theologically certain" – to refuse adherence to a teaching in *any* of these categories is still a **mortal sin** against the faith.

Fr. Feeney's adherents spill oceans of ink answering the question "who shall ascend." Better they should first accept Vatican I and Pius IX's answer to the question "what must I believe."

Instead, they proclaim that the universal ordinary magisterium taught errors for centuries, and that Catholics have no duty to submit to it.

This is heresy pure and simple, putting them firmly *extra Ecclesiam* – where there is, as we know, *nulla salus*.

Yours in Christ,
- **The Rev. Anthony Cekada**
March 22, 2001

THE GREAT EXCOMMUNICATOR

Bp. Kelly's Communion Rules Divide Families and Violate Canon Law

Rev. Anthony Cekada

2002

Young traditional Catholics often worry about finding the right potential spouse – will I find a mate with whom I can share and practice my faith?

This worry is often compounded because of the divisions that exist among various traditional Catholic groups, a situation produced by the defection of the hierarchy at Vatican II, who otherwise would now be keeping order among faithful Catholics.

In Cincinnati where I now work, this difficulty is particularly acute due to the presence of a parish operated by Bishop Clarence Kelly's Society of St. Pius V (SSPV) and his Daughters of Mary.

His organization's policy is to refuse Holy Communion to people who assist at my Mass, and otherwise treat them as non-Catholics. Often there is a nasty public scene at their church when an SSPV priest grills a suspect communicant at the rail, and then passes him by if he gets the wrong answers.

(The most recent victim: a 90-year-old Cincinnati granny, visiting an SSPV church in Cleveland.)

The local SSPV school principal even exacts a written oath from parents that they and their children will not receive sacraments at my church.

You can imagine the difficulties that ensue, then, when a young man from the SSPV parish, say, takes an interest in a young lady from mine, and marriage looms.

The SSPV clergy pressure the young man and his family to get the young woman to "convert" – formally renounce any connection with me and agree to raise any children in "their" church.

The reason SSPV gives for this policy is that I and the various clergy with whom I work are somehow non-Catholic, excommunicated, or tainted, due to associations (no matter how remote) with persons or groups SSPV finds objectionable: Abp. P.M. Ngô-dinh-Thuc, the Mount St. Michael's priests (CMRI) and others.

Lay people sometimes find this grim picture convincing – traditional Catholics tend to be pessimists, after all – or at least unsettling enough so that they go along with the SSPV policy.

But the “policy” of a particular organization should not be the ultimate norm of action for anyone.

As traditional Catholics, the question must always be: “What norms does *the Church* lay down?”

The answer to this question is found in her Code of Canon Law (a body of 2414 individual laws, supplemented by some other legislation), as explained by “canonists” (legal experts), theologians and popes.

Here we discover that a Catholic has a *right* to receive the Eucharist, the priest has an *obligation* to give Communion to a Catholic, and that the priest may refuse someone the Eucharist only if that person is *forbidden by law* to receive it.

And the law defines precisely what makes someone “forbidden by law” to receive Holy Communion.

This I will outline in detail below.

I will also list the various reasons SSPV has given over the years for refusing my parishioners Communion. I will show in each instance that SSPV has either *invented* a crime or principle not found in canon law, or *misinterpreted* some principle that is.

I encourage young people with friends in SSPV chapels to circulate this article and the accompanying documentation. So too, families that have been torn asunder by SSPV's policies The law of the Catholic Church, you will see, is a good deal more merciful and forgiving than SSPV would have you believe.

The Right to Receive Communion

QUESTION: *Is SSPV permitted by church law to refuse Communion to my parishioners?*

1. You have a *right* to Communion unless forbidden by law.

- *Church Law:* "Every baptized person not forbidden by law may and must be admitted to Holy Communion."¹

- *Explanation:* "Every baptized person is *by divine right entitled* to receive Holy Communion, because baptism bestowed this right upon him - - All are called by Christ to His banquet, and therefore the *priests are in duty bound to offer every opportunity to the faithful for receiving Communion* and to lay aside unreasonable and Jansenistic scruples."²

- *Application:* My parishioners may and must be admitted to Communion, unless they are forbidden by law. The law quoted *favours* their right

to receive, unless otherwise proven, and this right is one of *divine law*.

An SSPV priest in turn, is *in duty bound* to give them Communion. If he intends to refuse them Communion, he must demonstrate that some church law forbids them to receive. The burden of proving the unworthiness of my parishioners falls on *SSPV*.

2. The law bars the "publicly unworthy" from Communion.

- *Church Law:* "The Holy Eucharist may not be given to such as are *publicly unworthy*, e.g., the excommunicated, interdicted and notoriously infamous, unless they have given signs of repentance and amendment and have repaired the scandal publicly given."³

- *Application:* An SSPV priest must demonstrate that my parishioners are "publicly unworthy." This he may do by demonstrating that they are "excommunicated, interdicted, or notoriously infamous," or that they fall into some other category that the law says renders them "publicly unworthy."

¹ Canon 853.

² Canonist C. Augustine, *Commentary on the New Code of Canon Law*, 1921, 4:225.

³ Canon 855.1.

3. Are my parishioners “publicly unworthy” under church law due to:

A. Excommunication?

- *Church Law*: The 1917 Code of Canon Law lists 44 offenses for which Catholics incur automatic excommunication.⁴

- *Application*: SSPV must identify specifically:

- (1) Which of the 44 offenses my parishioners committed.
- (2) When and how they committed it.

B. Interdict?

- *Church Law*: The 1917 Code of Canon Law lists 4 offenses for which Catholics incur automatic interdict.⁵

- *Application*: SSPV must identify specifically:

- (1) Which of the 4 offenses my parishioners committed.
- (2) When and how they committed it.

C. “Notorious Infamy”?

- *Church Law*: The 1917 Code of Canon Law lists 7 offenses

for which Catholics incur automatic “infamy of law.”⁶ N.B., “infamy of fact” can only be declared by their diocesan bishop.

- *Application*: SSPV must identify specifically:

- (1) Which of the 7 offenses my parishioners committed.
- (2) When and how they committed it.

D. Another church law?

- *Church Law*: I am not aware of such a law.

- *Application*: If an SSPV priest maintains that some other such law applies, he must identify specifically:

- (1) The date the law was promulgated.
- (2) The paragraphs setting defining the offense and imposing the prohibition of communion.
- (3) When and how my parishioners committed the offense.

E. Being Public and Notorious Sinners?

- *Church Law*: “Public and notorious sinners must not be admitted to Holy Communion...”

⁴ See list, Canonist Ayrinhac, *Penal Legislation in the New Code of Canon Law*, 1936, 326-329.

⁵ See Ayrinhac, 329-30.

⁶ Canonist Ayrinhac, 121.

These are defined as sinners who “(a) if they have been declared such by an ecclesiastical judge, or (b) if they have publicly confessed their crimes, or as we say, ‘pleaded guilty,’ or (c) if they have committed in word or deed a crime that still lasts and is known to the public as not atoned for and therefore is a source of scandal.”⁷

- *Application:* SSPV must identify specifically:

- (1) The species of the sin my parishioners committed.
- (2) When and how they committed it.
- (3) How it lasts and is still known to the public.

4. Summary and Conclusion:

- “Every baptized person not forbidden by law may and *must* be admitted to Holy Communion.”

- My parishioners must be admitted unless forbidden by law.

- Church law favors their right to receive.

- If SSPV intends to refuse them, it must prove that some church law forbids them to receive.

- Church law bars the “publicly unworthy” from Communion.

- One becomes “publicly unworthy” under the law through:

- (1) excommunication,
- (2) interdict,
- (3) notorious infamy,
- (4) an offense against some other law resulting in prohibition of Communion.
- (5) being a public and notorious sinner.

- Church law sets forth in detail how each of these is incurred.

- An SSPV priest who intends to refuse communion to my parishioners, must specify:

- (1) The offense committed.
- (2) The law it violated.
- (3) When it was committed.

- No SSPV priest has ever done so, despite my repeated public requests.

- SSPV cannot do so.

- The conclusion is clear: SSPV is *not* permitted by church law to refuse communion to my parishioners.

⁷ Pope Benedict XIV, in Augustine.

- Accordingly, its members are *obliged* by Canon 853 to give my parishioners Communion.

We now pass on to various charges and objections.

Non-Catholics or Schismatics?

OBJECTION: *My parishioners are “forbidden by law” to receive communion because Abp. Thuc or CMRI members or Bp. Dolan, etc. were/are “non-Catholics,” or “schismatics.”*

1. Definition of a “member of the Catholic Church.”

- *Papal Teaching:* “In the Church they alone are to be counted as members who have received the baptism of regeneration and profess the true faith, who, moreover, have not had the misfortune to separate themselves from the assembly of the Body, or been excommunicated by the legitimate authority by reason of very grave faults.”⁸

- *Application:* If SSPV maintains that Abp. Thuc, or CMRI members or Bp. Dolan, or I,

etc. were “non-Catholics,” it must demonstrate that such a person was/is no longer a “member of the Catholic Church” under Pius XII’s definition.

SSPV must show that such a person has either:

- (1) Separated himself from the “assembly of the Body” (schism), or
- (2) Been excommunicated by legitimate authority.

We begin with the more serious charge that such persons were/are “non-Catholics” because they were/are “schismatics.”

2. Definition of “Schismatic.”

- *Church Law:* “If one, after the reception of baptism, while retaining the name of Christian, pertinaciously - - refuses submission to the Supreme Pontiff or rejects communion with the members of the Church subject to the latter, he is a schismatic.”⁹

- *Application:* Church law does not contain another definition. This is the one SSPV must follow.

⁸ Pope Pius XII, *Mystici Corporis*, Pontifical Teachings 1022.

⁹ Canon 1325.2.

3. If an SSPV priest calls a baptized Catholic a “schismatic,” he must therefore identify when and how that person:

- (1) Refused to be subject to the Roman Pontiff; OR
- (2) Rejected communion with the members of the Church subject to him, AND
- (3) Did so “pertinaciously” (“which presupposes bad faith, such that the schismatic knowingly and willing tears asunder the unity of the Church.”¹⁰)

4. The SSPV priest must identify this occasion for each of the following:

- *Abp. Thuc*: When did he “refuse subjection to the Roman Pontiff” or “reject Communion with members of the Church subject to the Roman Pontiff”? Was it “pertinacious,” presupposing bad faith, “knowingly, willingly” tearing asunder the unity of the Church?

- *Any CMRI member he claims is a “schismatic”*: Ditto: When? How?

- *Bishop Dolan*: Ditto again: When? How?

- *Me? Any of my parishioners*: Ditto again: When? How?

- *Your fiancée or fiancé*: Ditto again: When? How?

5. If an SSPV priest cannot do so, he certainly cannot claim that any of the above were/are “schismatics.”

6. Summary and Conclusion.

- Pius XII teaches that a baptized person who professes the true faith is a member of the Catholic Church unless he is separated from it by excommunication or schism.

- Church law gives a precise definition for the term “schismatic.” Anyone SSPV calls a schismatic must meet the criteria in this definition.

- It cannot demonstrate that Abp. Thuc, CMRI members, Bp. Dolan, my parishioners, or your fiancée fall under these criteria.

- SSPV cannot claim that such were/are “non-Catholics” or “schismatics.”

- Therefore, SSPV may not refuse them Communion on these grounds.

¹⁰ “quæ malam fidem supponit et qua schismaticus sciens volens unitatem

Ecclesiæ dilaniat.” Coronata, *Institutiones Juris Canonici*, 4:1858.

Contagious Excommunication?

OBJECTION: *My parishioners are “forbidden by law” to receive communion because Abp. Thuc, Bps. Carmona, Pivarunas, Dolan, etc. were/are “excommunicated.”*

1. Identify the Excommunication Abp. Thuc Incurred:

A. The Code of Canon Law?

- It lists 44 offenses.¹¹
- SSPV must identify specifically:

(1) Which of the 44 offenses Abp. Thuc committed.

(2) When and how he committed it.

B. Holy Office Decree (1951)?

• *Background:* When the Communists took over China in the 1940s, they imprisoned Catholic bishops and clergy faithful to the pope. Bishops and clergy willing to renounce papal authority were allowed to form the “Chinese Catholic Patriotic Association,” which then elected priests to head the dioceses vacated by the imprisoned bishops. These priests

then received episcopal consecration from the bishops of the Patriotic Association.

• *Church Law:* In 1951, therefore, the Vatican Holy Office issued a new law imposing automatic excommunication for “The Consecration of a Bishop without Canonical Appointment.”

The term “canonical appointment” (in Latin *provisio* or *institutio canonica*) is a technical term which refers not to the reception of the sacrament of episcopal consecration, but to the obtaining of jurisdictional power as head of a diocese.¹²

In response to SSPV’s rather fantastic charge that Abp. Thuc somehow incurred excommunication under this decree:

(1) The automatic excommunication applies only to the case of a bishop illicitly consecrated as an *ordinary over a diocese*: “From the purpose intended by the Holy Office, the decree appears to cover only those who are consecrated as *residential bishops*, for this is the actual case which the Holy See wishes to condemn.”¹³

¹¹ See Canonist Ayrinhac.

¹² I have discussed this in “Pius XII, Excommunication, and Traditional

Catholic Bishops” (pp. 63-64).

¹³ Canonist Regatillo, *Institutiones Iuris Canonici*, 1956, 2:1031.

(2) Laws such as this that enact a penalty must be interpreted in a narrow sense: "In penalties the more benign interpretation should be followed."¹⁴ "The words of the law must be taken in their proper sense indeed, but not extended beyond this."¹⁵

(3) SSPV must demonstrate that Abp. Thuc consecrated someone as the residential bishop for a diocese without the appointment by the Holy See.

Who? When? Bp. Guérard? Bp. Carmona?

C. *Ad Apostolorum Principis* (1958), para. 48?

• *Background:* This lengthy Epistle of Pius XII was likewise directed against the problem of the Patriotic Association's illicit installation of schismatic bishops to head vacant dioceses in China.

SSPV's argument here is that ¶48 of the document punished consecrations in general that were done "rashly" or "irresponsibly." Abp. Thuc did consecrations "rashly" or "irresponsibly." Therefore, Abp. Thuc is excommunicated by it.

In response:

(1) The Latin term is *ex arbitrio*. This does not mean "rashly-on-a-stupid-irresponsible-impulse" but "on his own authority"¹⁶ – which was the crime of the Chinese clergy appointing the stooge diocesan heads.

(2) The Epistle does not establish some *new* grounds for excommunication (for "impulsive" bishops?), but merely refers in ¶48 to the applicability of the 1951 Decree.

(3) Pius XII condemns as "contrary to law and right" consecrations of the kind described in preceding paragraph (¶47), wherein those with "no authority whatsoever"

a. "Render void the canonical appointment [*institutio canonica*]" made by a pope.

b. "Claim the right of nominating *bishops*" for some group of priests or laymen. ("Bishop" in the Code, means an *Ordinary*, unless otherwise specified.)

c. Confer consecration without "the mandate of the Apostolic See."

¹⁴ Canon 2219.1.

¹⁵ Canonist Ayrinhac, *Penal Legislation*, 39.

¹⁶ *Cassells New Latin Dictionary*, 55.

2. Even if Abp. Thuc *had* personally incurred excommunication, it would *not* be incurred by clergy who derive their orders from him.

A. Penalties aren't "contagious."

• *Church Law*. "It is not permitted to extend penalties from person to person or from case to case, even though the reason is the same or even stronger."¹⁷

B. Receiving orders from an excommunicate incurs only suspension. (Prohibition from licitly exercising orders.)

• *Church Law*. "Those who presume to receive orders from one who is excommunicated, or suspended, or interdicted, *after a declaratory sentence has been passed upon him*, or from a *notorious* apostate, heretic, or schismatic, *ipso facto* incur a *suspension a divinis* reserved to the Holy See; one who in good faith is ordained by any such person is forbidden to exercise the orders

so received until he shall be dispensed."¹⁸

C. This suspension would not even apply anyway, because:

(1) No one in authority issued a declaratory sentence upon Abp. Thuc, Bps. Carmona, Pivarunas, etc. declaring them excommunicated, suspended or interdicted.

(2) Thuc, etc. were/are not "notorious apostates, heretics, schismatics." (If an SSPV priest claims otherwise he must prove his claim with the definitions of those terms in canon 1325.

(3) "Presumes" is technical term stipulating that bad faith must be present for a penalty to apply.

3. And in any case, a Catholic may receive sacraments from an excommunicated priest anyway:

• *Church Law*. "Except as provided in §3,¹⁹ *the faithful can for any just cause ask for*

¹⁷ Canon 2219.3.

¹⁸ Canon 2372.

¹⁹ "But from an excommunicated *vitandus* or one against whom there is a declaratory or condemnatory sentence, the faithful may only in danger of death ask for sacramental absolu-

tion according to canons 882, 2252, and also for other sacraments and sacramentals in case there is no one else to administer them." (Canon 2261.3) This refers to those who have been condemned by name by the pope or by an ecclesiastical judge.

*sacraments or sacramentals of one who is excommunicated, especially if there is no one else to give them; and in such cases the excommunicated person so asked may administer them, and is not obliged to ask the reason for the request.”*²⁰

4. Summary and Conclusion:

- Abp. Thuc did *not* incur excommunication under the Code of Canon Law, the 1951 Holy Office decree or *Apostolorum Principis*.

- An excommunication is not “contagious” anyway, and wouldn’t pass along to clergy deriving their orders from him.

- Even if it *did*, Canon 2261 *permits* Catholics to receive sacraments from an excommunicated clergyman.

- Therefore: SSPV may *not* refuse communion to my parishioners on the grounds that Abp. Thuc, Bps. Carmona, Pivarunas, Dolan, etc. were/are “excommunicated.”

The Sin of Scandal?

OBJECTION: *My parishioners are “forbidden by law” to receive communion because of the sin of “scandal.”*

1. What the sin of scandal is *not*.

In common speech, “scandal” means shock or bewilderment people experience as a *result* of some violation of propriety or common standards: “Oprah Flips Out after Twinkie Binge,” etc.

2. What the sin of scandal *is*:

- *Definition:* “Some word or deed (whether of omission or commission) that (1) is itself evil, or (2) has the appearance of evil, AND (3) provides an occasion of sin for another.”²¹

- *Comment:* For someone to commit the sin of scandal, his word or deed must in the first place either: (1) *be evil*, or (2) *have the appearance of evil*.

3. What “evil deed,” real or apparent, did my parishioners commit that renders them “forbidden by law” to receive communion?

²⁰ Canon 2261.2.

²¹ Theologian Prümmer, *Moral Theology*, 230.

A. Crime against church law?

- If so, is it punishable by automatic excommunication, interdict, or notorious infamy? Point it out, then.

B. A public sin?

- Provide the commandment number, and species of sin, please.

C. Reception of sacraments from a “schismatic”?

- False charge already refuted.
- Who is the “schismatic”? How does he fit the definition in canon 1325?

D. Reception of sacraments from “excommunicated” cleric?

- False charge of excommunication already refuted.
- Canon 2261 permits reception from excommunicated minister anyway.

4. Without a specific evil deed, real or apparent, there is only the “taking of passive scandal.”

• *Definition:* Passive scandal is taken when it results not from an evil action but from a *good action* which is *accepted by another as an occasion of sin* either through: (1) *Ignorance* (scandal of the weak), OR (2) *Malice* (pharisaic scandal).²²

5. The “scandal” taken by others at my parishioners’ reception of the sacraments at St. Gertrude’s, accordingly, is “passive scandal” only, arising from:

A. Ignorance. Lay people affiliated with SSPV have been *indoctrinated* with distortions of church law to view my parishioners’ act as evil. This is *scandal of the weak*.

B. Malice. The SSPV clergy *cannot identify the laws or commandment* against which my parishioners have committed their crimes or sins. The SSPV clergy nevertheless persist in maintaining that “scandal” is present. Their scandal, then, is *pharisaic scandal*.

6. There is no obligation to avoid giving others an occasion to take pharisaic scandal.

- *Explanation:* “This follows

²² See Theologian Prümmer.

from the fact that pharisaic scandal is caused by the malice of the person taking scandal.”²³

7. Summary and Conclusion:

- For a true sin of scandal to occur, my parishioners would need to have committed some evil or apparently evil act in the first place.
- SSPV cannot identify the law or commandment they have violated.
- The “scandal” that SSPV clergy takes is therefore only pharisaic.
- Therefore: SSPV may *not* refuse communion to my parishioners on the grounds that they have committed the sin of “scandal.”

Ordination of Unworthy Men?

OBJECTION: *My parishioners are “forbidden by law” to receive communion because Abp. Thuc conferred orders on some unworthy men.*

1. General principle on ordai-

ning unworthy men.

- *Church Law*. “A minister who dares [*ausus fuerit*] to administer sacraments to persons who are forbidden either by divine or ecclesiastical law to receive them, shall be *suspended* from the administration of the sacraments for a time to be *determined in the prudent discretion of the Ordinary*, and shall be punished by other penalties according to the gravity of the fault, without prejudice to the special penalties provided by law against certain crimes of this class.”²⁴

2. Points to note:

A. “Dares [*ausus fuerit*] to administer...”

- *Church Law*. “If the law contains the words: *præsumserit, ausus fuerit, scienter, studiose, temerarie, consulto egerit*, or other similar expressions which require full knowledge and deliberation, any diminution of imputability on the part of either the intellect or the will exempts from penalties *latæ sententiæ*.”²⁵ “In this last case, even affected ignorance of fact probably excuses.”²⁶

²³ Theologian Prümmer.

²⁴ Canon 2364.

²⁵ Canon 2229.2.

²⁶ Canonist Bouscaren, *Canon Law: Text & Commentary*, 1957, 853.

- To incur the penalty, Abp. Thuc would need to have had *full knowledge* that the ordinand was unworthy and done it anyway.

This has not been proven.

B. The Penalty:

- Not excommunication, but only *suspension* (prohibition from exercising orders).

- Is not even automatic.

- Must be imposed by a superior with ordinary jurisdiction.

- Other ordinands couldn't "catch" it and pass it along anyway.

3. Summary and Conclusion:

- This charge is merely an attempt at guilt by association.

- Catholics do not become "forbidden by law" from receiving Communion if they have received sacraments from other clergy who somewhere, somehow, in their line of apostolic succession descend from a bishop who "could have" been subject to suspension for having ordained someone unworthy, *if* that bishop had had full knowledge of the

ordinand's unworthiness, and *if* that bishop's own Ordinary had imposed a sentence on him.

- If SSPV has a law saying otherwise, let them provide the reference.

- Therefore: SSPV may *not* refuse communion to my parishioners on the grounds that Abp. Thuc conferred orders on some unworthy men.

Cooperation with Crimes?

OBJECTION: *My parishioners are "forbidden by law" to receive communion because by receiving sacraments from clergy who trace apostolic succession to Abp. Thuc, they become "cooperators" with his "evil deeds," "crimes," etc.*

1. Accusations Refuted Above:

- That Abp. Thuc was non-Catholic, schismatic, excommunicated, guilty of crimes, etc.

2. Even if Abp. Thuc *had* been guilty of a criminal action, receiving orders from him did *not* constitute cooperating in a criminal action, even if one *approved* of his crimes.

- *Principle*: “Approving a criminal action, sharing in the spoils, concealing the offender, and all such action performed after the crime is already consummated, may constitute new delinquencies in themselves if there are penalties enacted against them by law; *but they do not constitute cooperation in the crime nor render one responsible for it*, unless the support or encouragement had been promised beforehand and in that sense preceded the evil deed.”²⁷

III. Summary and Conclusion:

- This charge is merely guilt by association again.
- Catholics do not become “forbidden by law” from receiving Communion through “cooperation in crime” if they have received sacraments from other clergy who somewhere, somehow, in their line of apostolic succession descend from a bishop who committed or could have committed a crime.
- If SSPV has a law saying otherwise, let them provide the reference.

- Therefore: SSPV may *not* refuse communion to my parishioners on the grounds that by receiving sacraments from clergy who trace apostolic succession to Abp. Thuc, they become “cooperators” with his “evil deeds,” “crimes,” etc.

Just Following a Safer Course?

OBJECTION: *My parishioners are “forbidden by law” to receive communion on the grounds that SSPV is just following “the safer course.”*

I. Principle on “the safer course”:

- Moral theology: “It does not consist in a course that is safer compared to another which is also safe, but rather a course that is safer opposed to another which is not safe. For we are not bound to follow the safer course when another course is safe.”²⁸

II. Who is *really* following “the safer course”?

- The principles I have set forth above are “safe,” because they are employed in the

²⁷ Ayrinhac, *Penal Legislation*, 19.

²⁸ “Etenim non accipit tutiorem partem *comparative* ad aliam, quæ etiam tuta est, sed *adversative* ad aliam

quæ not est tuta: quia non adstringimur partem tutiorem sequi, quando altera est tuta.” Theologians Aertnys-Damen, *Theol. Moralis*, 1958, 1:86.

Church's canon law and the works of her moral theologians.

- I have amply demonstrated above that the accusations about Abp. Thuc, etc. which form the basis for denying communion to my parishioners, however, have *no objective basis* in Catholic canon law and moral theology.

- Such principles cannot be a “safer” course, or even a “safe” one, because they do *not* come from the authority of the Church, but rather contradict it.

- The truly “unsafe course” is that of SSPV: Invent your own rules, and refuse Catholics sacraments on the basis of them.

III. Conclusion:

- Therefore: SSPV may *not* refuse communion to my parishioners on the grounds that they are following “the safer course.” They are not.

Father is Following His Conscience?

OBJECTION: *My parishioners are “forbidden by law” to*

receive communion on the grounds that SSPV's priests are “following their consciences.”

I. What conscience is:

- *Moral theology:* “Judgement or dictate of the practical intellect deciding from *general principles* the goodness or evil of some act which is to be done here and now or has been done in the past.”²⁹

II. Standard by which it judges:

- *Moral theology:* “Conscience derives its judgement from general principles - - Conscience does not pass judgement on the truths of faith and reason but decides whether the act to be done (or which has been done) *is in conformity with existing just law.*”³⁰

III. The priest must conform his practical decisions with “existing just law” of the Church.

IV. The “existing just law” of the Church prescribes:

- *Church Law:* “Every baptized person not forbidden by law may and *must* be admitted to Holy Communion.”³¹

²⁹ Prümmer, *Moral Theology*, 135.

³⁰ *Ibid.*

³¹ Canon 853.

V. SSPV cannot point to any church law under which my parishioners are “forbidden” to receive Communion.

VI. Conclusion

- Therefore, SSPV members must conform their consciences to the “existing just law” and admit my parishioners to Communion.

Invalid Bishops?

OBJECTION: *My parishioners are “forbidden by law” to receive communion because the episcopal consecrations Abp. Thuc performed in 1981 were “doubtful” or “invalid.”*

Background:

The central issue here is the validity of the two episcopal consecrations Abp. P.M. Ngô-dinh-Thuc conferred in 1981:

- Bishop M.L. Guérard des Lauriers OP, 7 May 1981 (from whom Bp. Sanborn derives his consecration).
- Bishop Moises Carmona Rivera, 17 October 1981 (from whom Bp. Dolan derives his consecration).

In 1983, when I was a member of SSPX, I wrote a lengthy article criticizing Abp. Thuc, his involvements, etc.

I did not, however, address the issue of validity of the consecrations he performed: “Further research would be needed to ascertain what theologians and canonists consider sufficient evidence for validity in such a case.”³²

We began to investigate this issue in SSPV as a result of Fr. Donald Sanborn’s visit to Brazil, April 1985. The issue was the validity of Bps. Guérard and Carmona’s consecrations.

Two priests were chosen to research the question: Fr. Sanborn, who favored the validity of the consecrations and favored involvement, and I, who believed the consecrations were doubtful and opposed involvement.

The key issues we set out to research in 1985 were:

- (1) *No certificates.* None appeared to have been issued. What to do? This was my and Fr. Kelly’s major objection.
- (2) *Were “qualified witnesses” then required?* Fr. Kelly main-

³² See Vol. I, p. 135.

tained one would need “evidence of use of correct matter and form,” otherwise an episcopal consecration would have to be regarded as “doubtful.”

(3) *Were there other special rules for attesting to the fact of an episcopal consecration?* Anything apart from the usual norms for ascertaining that a sacrament took place?

(4) *Abp. Thuc’s “Sacramental Intention”?* What assumptions did theologians, canonists, etc. require us to make?

My conclusions in 1988, based on the research I had done, were the following:

(1) *Certificate*: It is not required to assume a given rite took place and was valid. All traditionalist certificates are canonically “unofficial” anyway, because we aren’t canonical pastors.

(2) *Qualified Witnesses*. Nothing in canon law requires “qualified witnesses,” positive evidence of use of matter and form. The term “qualified witness,” in fact, has a special technical meaning in canon law referring to giving evidence in a ecclesiastical trial,

and has nothing to do with ascertaining the *validity* of a sacrament.

(3) *Special Rules*. There are none for ascertaining the fact of an episcopal consecration.

(4) *Abp. Thuc’s “Sacramental Intention”?* No justification for attacking it exists under any accepted principle of canon law and moral theology.

I concluded that we are obliged to regard the consecrations as valid, and subsequently:

(1) *Wrote an article* (1991) presenting my research and conclusions.³³

(2) *Discovered the certificate* Abp. Thuc issued for Bp. Carmona’s consecration.

In connection with the latter the following should be noted:

- Fr. Kelly used the absence of a certificate as the principal objection to impugn the validity of the Thuc consecrations.

- When I finally was able to find one in 1993, Fr. Kelly ignored it, and then shifted his principal objection to the consecration by attacking Abp. Thuc’s “mental state.”

³³ See Vol. I, pp. 227-259.

1. Standard Procedure for Verifying Reception of a Sacrament:

A. What a priest will ascertain:

(1) *Fact* that a ceremony occurred, via (a) certificate (the usual way) or (b) other reliable proof (a photo would do).

(2) *Minister who performed rite.* Was he a validly ordained Catholic priest? You ask the recipient or parents.

(3) *Rite used.* Was it the traditional or post-Vatican II rite? You ask the recipient or parents.

B. What the priest concludes:

Once a traditional Catholic priest ascertains in a given case (someone claiming a child was baptized, say) that a ceremony occurred, that another *validly ordained Catholic priest* performed it, and that

the priest used a *traditional rite*, he treats it as valid with no further questions.

This is standard sacramental practice.

2. Application to the 1981 Thuc Consecrations:

A. What You Can Ascertain:

(1) *Fact that the ceremonies occurred.*

Established by:

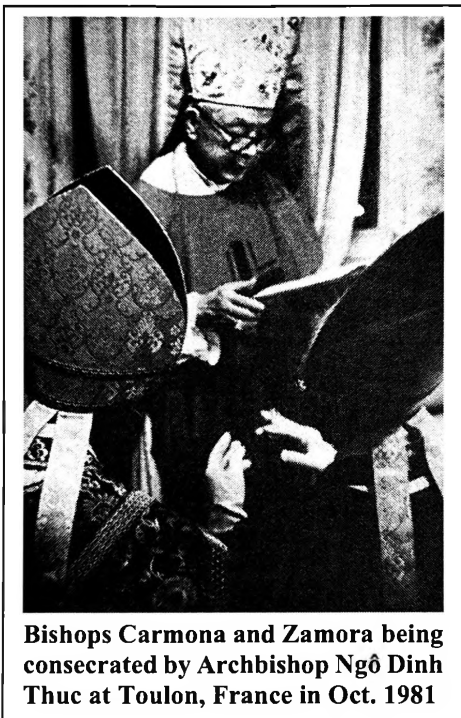
a. *Consecration certificate* for Bp. Carmona, written by Thuc:

- i. By hand.
- ii. In Latin.
- iii. Dated October 18, 1981
- iv. Signed by eyewitnesses.

b. *Published photos* of both Guérard's and Carmona's consecrations.

c. *Numerous articles*, and a Vatican "excommunication."

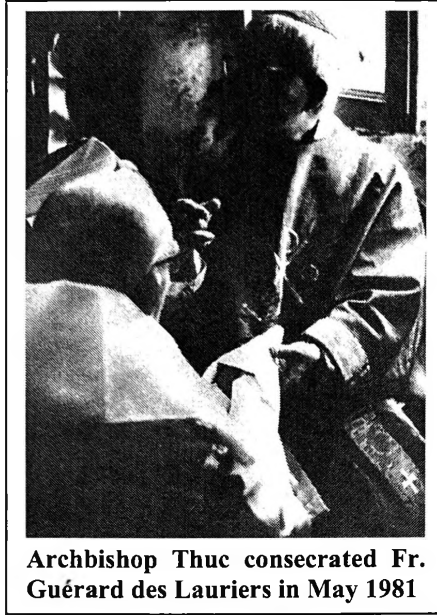
(2) *Minister who performed rite:* Abp. Thuc, a *validly consecrated Catholic bishop*.



(3) *Rite Used: Rite of Episcopal Consecration, 1908 Roman Pontifical*. Established by:

Pontifical) for Abp. Thuc as he performed the rite of consecration.³⁵

a. *Captions published with photos of ceremony* stating that Abp. Thuc performed the consecrations according to *The Roman Pontifical* (1908 edition).³⁴



Archbishop Thuc consecrated Fr. Guérard des Lauriers in May 1981

b. An *interview* conducted under oath, with Dr. Kurt Hiller, who was present at both consecrations and who held the ritual book (*The Roman*

c. A sworn *affidavit* of Dr. Eberhard Heller, who was also present at both consecrations, attesting that Bps. Guérard, Carmona and Zamora were consecrated bishops by Abp. Thuc and that "The consecrations followed *The Roman Pontifical*

(Rome: 1908)."³⁶

d. Published *interview* with

³⁴ *Einsicht* 11 (March 1982), 14. For original text, see fn. 36 below.

³⁵ Clarence Kelly, et al., interview with Dr. Kurt Hiller, Munich, February 1988, *passim*.

³⁶ Eberhard Heller, "Eidesstattliche Erklärung zu den Bischofsweihe von I.E. Mgr. M.L. Guérard des Lauriers, Mgr. Moises Carmona und Mgr. Adolfo Zamora," *Einsicht* 21 (July 1991), 47. "Um noch bestehende Zweifel an den von S.E. Mgr. Pierre Martin Ngo-dinh-Thuc gespendeten Bischofsweihe. die z.B. von bestimmten Personen und Gruppen in den U.S.A. geäußert werden, und weil seine Exzellenz inzwischen verstorben ist, er sich also dazu selbst nicht mehr äußern kann, erkläre ich an

Eides statt, da ich den betreffenden Konsekrationen durch Mgr. Ngo-dinh-Thuc persönlich beiwohnte: Ich bezeuge, daß S.E. Mgr. M.L. Guérard des Lauriers O.P. am 7. Mai 1981, I.E. Mgr. Moises Carmona und Mgr. Adolfo Zamora am 17 Oktober 1981 in Toulon/ Frankreich von S.E. Mgr. Pierre Martin Ngo-dinh-Thuc zu Bischöfen der hl. katholischen Kirche geweiht wurden. Die Konsekrationen erfolgten nach dem 'Pontificale Romanum' (Rom 1908). Mgr. Ngo-dinh-Thuc spendete die Weihe im Vollbesitz seiner geistigen Kräfte und in der Absicht, der Kirche aus ihrer Notsituation herauszuhelfen, die er in seiner 'Declaratio' über die Sedisvakanz vom 25. Februar 1982 prä-

Bp. Guérard. Attests that Abp. Thuc consecrated him on 7 May 1981, that "the consecration was *valid*," that "the traditional rite was followed integrally (except for the reading of a Roman mandate)," and that "Abp. Thuc and I had the intention to do what the Church does."³⁷

e. *Interview* with Bp. Guérard again affirming that he had been consecrated on 7 May 1981, and that the rite was followed integrally.³⁸

B. What you must conclude:

Because (1) The ceremony of episcopal consecration *occurred* on two occasions, (2) a *validly-consecrated bishop* performed it each time, and (3) he used the *traditional Rite of Episcopal Consecration* each time.

• Therefore, **both consecrations must be regarded as valid.**

3. Thereafter, validity must be presumed and invalidity must

zisierte. München, den 10. Juli 1991. E. Heller."

³⁷ *Sodalitium* 4 (May 1987), 24. His emphasis.

³⁸ Joseph F. Collins, Notes of Interview with Guérard, La Charité (France), August 1987.

³⁹ Canonist Wanenmaker, *Canonical Evidence in Marriage Cases*, (1935), 408.

be proven.

A. *Generally in Canon Law*: This is "the queen of presumptions, which holds the act or contract as valid, until invalidity is proved."³⁹

B. *For Ordinations*: " - - an act, especially one as solemn as an ordination, must be regarded as valid, as long as invalidity would not be clearly demonstrated."⁴⁰

C. *Correct Intention Presumed*: "This principle is affirmed as certain theological doctrine, taught by the Church, to deny which would be theologically rash - - **The minister is presumed to intend what the rite means.**"⁴¹

4. Defects which would invalidate an episcopal consecration:

A. *Matter*: Consecrating bishop does not impose hands.

B. *Form*: Consecrating bishop

⁴⁰ " - - tum quia actus, praesertim adeo sollemnis qualis est ordinatio, habendus est ut validus, donec invaliditas non evincatur." Canonist Cardinal Gasparri, (also compiler of the Code of Canon Law), *Tractatus de Sacra Ordinatione* (1893), 1:970.

⁴¹ Theologian Leeming, *Principles of Sacramental Theology*, (1956) 482.

does not pronounce essential 16-word formula.

C. *Intention Withheld*: Consecrating bishop internally withholds intention to make a bishop or “to do what the Church does” in performing the rite.

D. *Intention Absent*: Consecrating bishop is not performing a human act because he lacks:

(1) Even merely *external attention*: He does not know that he is performing a sacramental act (an episcopal consecration). (No act of intellect.)

(2) Even *virtual intention*: His external action of performing a sacramental act (an episcopal consecration) has not been produced by any direct act of his will. (No act of will.)

• Example of no external attention or virtual intention: Performing a sacramental action while sleepwalking. No attention from intellect, no intention from will. No sacrament because not a human act.

• *Virtual intention* is the minimum “level” of intention required and sufficient for validity. It guarantees that a sacrament is valid, even if the priest or bishop is internally distracted before and during the entire sacramental rite.

• *Explanation*: “The common doctrine is this: Virtual intention is necessary and sufficient in the minister to confect the sacraments - - Virtual intention, as we have already seen, is an actual intention itself which is operating along with distraction. **Such an intention is certainly present in someone who regularly performs sacramental actions** – for example, a priest who goes early to the church, puts on vestments, goes to the altar, celebrates Mass, and consecrates a host or hosts presented to him at it, **even though he does not think about the intention of consecrating.**”⁴²

• This minimum, obviously, is not very hard to meet.

⁴² “Unde doctrina communis est ad sacramenta conficienda in ministro eam requiri et sufficere intentione quam virtualem diximus; - - Virtualis enim intentio, ut iam vidimus, est intentio ipsa actualis quæ cum distractione operatur. Talis intentio certe habetur in eo qui de more ponit

actiones sacramentales., e.g. sacerdos qui mane adit Ecclesiam, paramenta sumit, ad altare progreditur, Missam celebrat et in ea consecrat hostiam aut hostias præsentatas, etsi nihil de intentione consecrandi cogitat.” Canonist Coronata, *De Sacramentis: Tractatus Canonici* 1943, 1:56.

5. For the Thuc consecrations, there is no evidence of a defect in matter, form, or intention to “do what the Church does.”

6. “Mental State” Slander:

A. *Photos of Ceremonies:*

- Look at the photos of the consecrations published in *Ein-sicht*.

- Does Abp. Thuc look like a dazed robot or a sleep-walker, who doesn’t know *where* he is or *what* he’s doing – the “mental state” one would have to prove he was in at the time of the consecrations if one claims they were doubtful or invalid?

- Fr. Bruno Schaeffer’s Ordination: Is this also an automaton?

- Abp. Thuc also gave a public conference in Mexico under the auspices of Trento the following year. Was this also an automaton, who didn’t

know where he was, or what he was doing?

B. Certificate of Consecration for Bp. Carmona.

- Look at the handwriting on the certificate. (p. 127).

- Firm and clear, and the document is in Latin. Attesting to the consecration:



Archbishop Thuc ordained Bruno Schaeffer to priesthood in 1982

We, Peter Martin Ngô-dinh-Thuc, Titular Archbishop of Bulla Regia, give notice of the following to all: on the 17th day of the month of October, in the year 1981, we conferred the episcopal rank of the Catholic Church on Fa-

ther Moises Carmona Rivera, with all rights pertaining to said rank. Given on the 18th day of the month of October, in the year of Our Lord 1981. [signature] +Peter Martin Ngô-dinh-Thuc. The eyewitnesses were: Doctor Kurt Hiller and Doctor Eberhard Heller. [signature] Dr. Kurt Hiller [signature] Dr. E. Heller.

- Is this writing in Latin also the work of some confused sleepwalker in a miter, who the day before couldn't manage the tiny bit of awareness and intention that theologians say is "*necessary and sufficient*" to confer a valid sacrament?

C. Other Documents Handwritten in Latin:

- A few months after the consecration, one thanking Bp. Carmona for his New Year's greetings.
- The following year, a document proclaiming vacancy of the Holy See.

Again, the documents are in Latin, and the Archbishop's handwriting is firm and clear. Is this the work of a sleepwalker or an automaton? Cranking out documents in Latin?

D. Conclusion:

- Anyone capable of all this possessed the requisite "mental state" to confer a valid sacrament.
- A priest who says otherwise is either ignorant of the principles of sacramental theology or dishonest – because he knows better, but refuses to

abandon a foolish position.

6. Summary and Conclusion:

A. Standard procedure a priest uses to verify reception of sacrament:

(1) He ascertains: (a) Fact that ceremony occurred (by certificate, or other proof). (b) The minister who performed rite – whether he was a validly ordained Catholic priest. (c) The rite used – was it the traditional rite?

(2) The priest then treats it as valid. There are no further questions.

B. For the Thuc consecrations:

(1) We can easily ascertain:

- a. *Fact the ceremonies occurred:* Certificate handwritten by Abp. Thuc, photos, articles.
- b. *Minister:* A real bishop.
- c. *Rite used:* Traditional rite of episcopal consecration. (Affidavits, etc.)

(2) Conclusion: The consecrations were valid.

C. Thereafter validity must be presumed, invalidity must be proven, based on what canonists teach regarding:

- (1) General principles, (The “queen of presumptions”).
- (2) Ordinations.
- (3) Correct intention.

D. Defects that invalidate sacraments: (1) Matter. (2) Form. (3) Withholding intention. (4) Intention absent – you have no idea what you’re doing, and make no act of will.

- (3) Especially the consecration certificate he wrote out in Latin the day after Bp. Carmo-
na’s consecration.

G. Such attacks were dishonest all along.

And here we pass briefly from church law to a personal anecdote.



E. For Thuc Consecrations: No evidence of defect of matter, form, or intention to do what Church does.

F. “Mental State” slander – Abp. Thuc unable to form sacramental intention – is refuted by:

- (1) Photos.
- (2) Handwritten documents after consecration.

In my 1991 article, I recalled how at a September 1988 SSPV priests’ meeting Fr. Sanborn had presented us with a report on the theological principles to be applied to the Thuc consecrations, and how I privately told Fr. Kelly later in the day that the report (especially a pronouncement from Pope Leo XIII) seemed to demolish all my objections and Fr. Kelly’s as well.

Fr. Kelly replied: “We *can’t* say the consecrations [of the Thuc bishops] are valid – or some of our priests will want to get involved with them.”

This moment was one of those little revelations.

It convinced me that no matter *what* principles we would discover from church law, canonists, moralists, theologians and popes, Fr. Kelly would ignore it all and stick to some other agenda.

Fr. Kelly’s objections, in other words, would *always* be intellectually dishonest – not even *Leo XIII* can move you from what you’ve already decided? Keep this in mind when Fr. Kelly’s and SSPV’s policies divide your family or break up your engagement.

H. *Only possible conclusion:* Like it or not, the principles of canon law and sacramental theology *oblige* you to regard Abp. Thuc’s consecrations of Bps. Guérard and Carmona as valid, and to regard those who trace their apostolic succession to them as true bishops.

Final Objection: I Don’t Feel Right

OBJECTION: *I “don’t feel right” about what you’ve said,*

this is all very complicated, I can’t figure all this out, and I trust SSPV – so if their priests think your parishioners are “forbidden by law” to receive Communion, that’s fine with me.

REPLY FOR THE SSPV LAITY:

You don’t “feel right” because for over ten years SSPV has been feeding you Thuc/CMRI horror stories and bogus principles masquerading as canon law and moral theology.

I have systematically exposed these principles as false, offered you photocopies of the correct principles as they appear in canon law books, and put it all together for you.

My argument is based on *church law* – not emotion, phony guilt by association tactics and stubborn intellectual dishonesty.

SSPV, by refusing Communion to my parishioners, violates not only canon law, but also the *law of God*, which gives Catholics – your friends and relatives – the right to receive the Eucharist.

And *this* – not twenty-year-old horror stories about people you and I have never met – is the *real* evil you should worry about.

Appendix: Consecration Certificate

L'Archevêque Pierre Martin NGO-DINH-THUC

22, rue Garibaldi

83000 TOULON (France)

Tél. (94) 93.16.75

Nos, Petrus Martinus
Ngô-dinh-Thuc, archiepiscopus
Apostolicarum Bullarum Regis, notum
facimus omnibus: die 17^a
mensis Octobris anni 1981,
nos convulso Domino Moisés
Carmona Rivera dignitatem
episcopalem ecclesie catholice
cum omnibus iuribus ad hanc
dignitatem pertinentibus.

Datum die 18^a mensis Octobris
anni Dñi 1981.

† Petrus Martinus Ngô-dinh-Thuc

Testes oculares erant

Domini Doctori Karl Hiller
et Doctori Eberhard Heller

Dr. Karl Hiller
Dr. E. Heller

Comment

As noted in the foregoing article, the principal objection Fr. Kelly offered against recognizing the validity of Abp. Thuc's consecrations was a supposed lack of "documentary proof" by means of a certificate of consecration.

Absent this, he assured us, one would be required to have "qualified witnesses" to attest that "matter and form were correctly applied."

The latter objection, we would later learn, was pure mumbo-jumbo. The term "qualified witness" had a special technical meaning in canon law referring to certain classes of church officials giving evidence in a ecclesiastical trial, and had nothing to do with ascertaining the *validity* of a sacrament.

The principal quote Fr. Kelly used to support his assertion (Jones, *Moral Theology*, 472), moreover, turned out to be a mere *recommendation* that, in cases where *emergency baptism* was administered by a *layman* (a schismatic, heretic, Jew, pagan, midwife, catechist), someone be present to attest that the layman performed the baptism correctly. This was confirmed by consulting the passage in the longer Latin work by Jones (*Commentarium in C.J.C.*, 1954, 2:24) that was the source for the short English résumé on which Fr. Kelly was content to rely.

In any event, once the accompanying consecration certificate came to light – the "documentary proof" without which Fr. Kelly had earlier maintained one could not recognize the consecrations – he ignored it. Other SSPV members pooh-poohed its importance. ("A proof, perhaps, but not *the* proof," etc.)

But after Fr. Kelly's 1988 comment to me – "We *can't* say that the consecrations are valid" – this intellectually dishonest response was not a complete surprise.

TRADITIONAL PRIESTS, LEGITIMATE SACRAMENTS

Divine Law Obliges Us to Confer Sacraments

Rev. Anthony Cekada

2003

Now and again a traditional Catholic will hear someone claim that the sacraments he receives are “illicit.”

Sometimes members of the *Novus Ordo* establishment – the diocesan bishop or local pastor, say – will make this charge, citing one provision of canon law or another.

Or a traditional Catholic may come across a tract by a traditionalist type popularly called a “home-aloner.” This is someone who rejects Vatican II and the New Mass, but at the same time denounces the sacramental ministrations of all (or most) traditional Catholic priests as illegal, sinful, punishable by excommunication, against canon law or, in the case of confession, invalid. So in place of receiving sacraments, he recommends that you stay “home alone.”

In the early 1990s I wrote two articles dealing with these issues, “Canon Law and Common Sense” and “Home Alone,” both of which enjoyed a fairly wide circulation in traditionalist circles.

I decided to return to the topic because several new home-aloner tracts have appeared over the past few years, the most recent claiming that traditionalist clergy violate not merely canon law, but *divine* law.

Now, making credible arguments based on such concepts requires a fairly high degree of specialized knowledge in moral theology, canon law, sacramental law, and dogmatic theology. Ordinarily this can only be acquired by taking formal courses in these disciplines at a Catholic seminary or university, and then augmenting this basic knowledge through comparative study of major canonical and theological works, all of which are in Latin. (Some are listed in the bibliography below.)

No home-aloners I know of have this background, or even *suspect* how extensive their ignorance of these disciplines really is. Hence it is not surprising to find in their most recent writings two underlying errors.

First, these writers assume that *the* most important question a Catholic priest must always ask about a sacrament is whether he is “permitted” or “forbidden” to confer it.

This turns everything on its head. The priesthood is not just a privilege that stintingly *permits* something; it is a *munus* or *officium* (duty) to *do* something: to offer sacrifice and to dispense sacraments. So for a priest the *real* question is always: “What sacraments am I now *obliged* to confer?”

Second, probably because less specialized works sometimes use the terms indiscriminately, the writers confuse two distinct concepts in canon law as they relate to the administration of the sacraments:

- 1) *deputation* (a legitimate faculty or permission from the Church to administer sacraments) and
- 2) *jurisdiction* (ruling power over others in spiritual things.)

A priest or bishop must have legitimate deputation for *all* the sacraments he confers because their “confection and administration is divinely committed to the ministry of the Church.”¹ *Jurisdiction*, on the other hand, is required only for confession.

The would-be lay canonists, however, seem to think the law requires a priest to have *jurisdiction* whenever he confers a sacrament, and they base most of their criticism on this hidden assumption. But since *deputation* suffices, such arguments are beside the point.

I will briefly develop both these issues below. Most of what follows serves equally well for answering the home-aloners and members of the Vatican II establishment.

¹ Cappello, *de Sacramentis* 1:49.

I. Divine Law

Our Lord's commands to baptize (Mt 28:19), forgive sins (Jn 20:22), offer Mass (Lk 22:19), etc. constitute a *divine law* that binds all Catholic bishops and priests until the end of time.

Some priests are obliged in *justice* to administer sacraments; the rest are obliged on other grounds, explained either as in *charity* or in *virtue of ordination*. Here are the principles:

A. Obligation in Justice (*ex justitia*). This category comprises all priests who have the *cura animarum* (care of souls).

This technical term in canon law refers to priests who, by reason of their office or special title of jurisdiction, whether *ordinary* (a diocesan bishop, a superior general, a pastor or his equivalents) or *delegated* (coadjutor or assistant pastors) are obliged to "shepherd a particular part of Christ's flock."²

Their obligation to administer sacraments arises from "the divine law [Sacred Scripture citations] that commands shepherds to feed their sheep and indeed procure their spiritual good and their salvation."³

Priests with the *cura animarum* are gravely bound by divine law to provide the sacraments to faithful Catholics qualified to receive them.

B. Obligation in Charity (*ex caritate*). Other priests who lack this type of ordinary or delegated jurisdiction – e.g., seminary professors, administrators, teachers, unassigned, retired, etc. – are *also* nevertheless obliged to provide sacraments to the faithful, depending on how serious the need is for an individual or a community.

Some authors say their obligation is based in the virtue of *charity*. "*When priests who have the cura animarum are lacking, other priests are bound out of charity to administer the sacraments. - - in serious need for a community, [such*

² Merkelbach, *Summa Theologiæ Moralis* 3:86.

³ Hervé, *Manuale Theologiæ Dogmaticæ* 4:491.

priests] are bound to administer the sacraments, even at the risk of their lives, as long as there is reasonable hope of assisting and there is no one else who will help.” This obligation binds under pain of mortal sin.⁴

C. Obligation in Virtue of Ordination. Other authors say that such priests are obliged to provide sacraments not simply out of charity, but in virtue of their *sacramental ordination* itself. Here is one explanation:

They are bound by a certain general obligation arising from the sacred order they received. For Christ the Lord made them priests to devote themselves to saving souls. Because of this purpose, their special duty is to administer the Sacraments. This is obvious from the ordination rite, which gives them the power to offer sacrifice and absolve from sins, and which specifies administering the other sacraments among their other duties. - - This obligation binds more gravely depending on the seriousness of the spiritual need of the faithful in the diocese where [such a] priest is supposed to serve or in the place where he lives. *When such a community is obviously in serious need* – when, for instance, due to the small number of priests or confessors, people have no convenient way to assist at Mass on Sundays and feast days and receive the Eucharist, or where it is inconvenient for people to frequent the Sacrament of Penance, so that many remain in sin – a priest has a *grave obligation* to administer these sacraments and to prepare himself properly for the duty of confessor.⁵

* * * * *

These principles apply as follows: After Vatican II nearly all bishops and priests with the *cura animarum* defected to the new religion. The few priests who resisted, on the other hand, were professors, outcasts in their religious orders or dioceses, retired, etc.

⁴ Merkelbach 3:87. My emphasis.

⁵ Aertnys-Damen, *Theologia Moralis* 2:26: “*Generali quadam obligatione tenentur ex ordine suscepto - - in necessitate simpliciter gravi talis communitatis - - gravis est obligatio...*” Original emphasis.

These priests were then bound by divine law to provide sacraments for Catholics, who, since their pastors had apostasized, were now “obviously in serious need.” The priests were not obliged to “seek permission.” Rather, they were *obliged*, both in charity and in virtue of their ordination, to baptize, absolve, offer Mass, etc.

Not only that, but the bishops among them – Abps. Lefebvre and Thuc – were *obliged* to confer Holy Orders on worthy candidates who would then continue to provide sacraments for faithful Catholics throughout the world.

Their obligation arose from the sacred order of episcopacy they had both received. The one-sentence exhortation to the candidate in the Rite of Episcopal Consecration expresses this obligation succinctly: “It is the *duty of a bishop* to judge, to interpret, *to consecrate, to ordain*, to offer sacrifice, to baptize and to confirm.”

Moreover, those of us who derive our orders from Abps. Lefebvre or Thuc obviously have no appointment to the *cura animarum*. But like all other priests, we are likewise *obliged* by divine law, in charity and in virtue of ordination, to provide sacraments to the faithful who remain in grave common need.

II. Legitimate Deputation & Mission

Further, “as regards legitimacy - - all authority to dispense the sacraments originates from the mission given to the apostles” by means of the same divine commands cited above (to baptize, absolve, offer Mass, etc.). This is because:

No one dispenses another person’s property legitimately unless he does so based on that person’s command. Now, the sacraments are Christ’s property. Only those, therefore, who have a mission from Christ – namely, those to whom the apostolic mission derives – dispense them legitimately.⁶

Those whom Our Lord has bound by divine law to *confer sac-*

⁶ Billot, *De Ecclesiae Sacramentis* 1:179.

raments, then, simultaneously receive from Him the *legitimate deputation* and the *apostolic mission* to confer them.

III. Human Ecclesiastical Law

Although certain canons in the Code expressly recall principles of the divine positive law,⁷ the canons that prescribe how the legitimate deputation to baptize, absolve, offer Mass, etc. is conferred or obtained are not themselves divine law, but only *human law*. According to general principles of law, a human law:

A. Ceases automatically and positively when it becomes harmful (*nociva*) to observe. For this, see the works by moral theologians and canonists Abbo-Hannon, Aertnys-Damen, Badii, Beste, Cappello, Cicognani, Cocchi, Coronata, Maroto, McHugh-Callan, Merkelbach, Michels, Noldin, Regatillo-Zalba, Vermeersch, Wernz-Vidal, etc. in the bibliography below.

B. Ceases in “common need,” even if the law would otherwise render a sacrament invalid. Thus, for instance, an invalidating impediment to marriage normally requiring dispensation by a church official with ordinary jurisdiction would cease to bind “because of common need,” when access to someone with the requisite authority is impossible.⁸

Such a common need would also occur, for instance, “during a time of persecution or upheaval in a particular country.” In this case, “if the purpose of the law would cease in a contrary way for the community – that is, if common harm would result from it – the law would not bind, because it would rightly be considered to be suspended, due to benign interpretation of the mind of the lawgiver.”⁹

⁷ For examples, see Michels, *Normæ Generales Juris Canonici* 1:210ff.

⁸ Merkelbach 1:353.

⁹ Cappello 5:199.

C. Does not bind when it conflicts with the divine law. “In a conflict of obligations, the higher one takes precedence. - - Divine positive law takes precedence over human legislation.”¹⁰ “The supreme rule in the matter is this: The obligation that prevails is the one arising from the law which, considering its nature and purpose, is of greater importance - - Precepts of the divine positive law must prevail over precepts of human positive law.”¹¹

IV. Application

As regards the human ecclesiastical laws cited as prohibiting traditional Catholic priests to administer sacraments in the present situation:

A. Common Good. Applying these laws would deprive Catholics of the sacraments and thus directly impede the common good (*bonum commune*) that the Church intends for *all* her laws. This common good, the theologian Merkelbach says, is “the worship of God and the supernatural sanctification of men.”¹²

B. Cessation. Such human ecclesiastical laws would therefore become harmful (*nocivæ*), and as such would, according to the general principles of law laid down by moral theologians and canonists, automatically cease. (See III.A)

This includes Canons 953 and 2370, which would otherwise forbid the consecration of a bishop without an apostolic mandate (the papal document authorizing the consecration), because observing them would eventually deprive the faithful of sacraments whose conferral requires a minister in Holy Orders.

This also includes Canon 879.1, which governs jurisdiction for absolution: “To hear confessions validly jurisdiction

¹⁰ Jone, *Moral Theology* 70.

¹¹ Noldin, *Summa Theologiæ Moralis* 1:207.

¹² *Summa Theol. Mor.* 1:325: “*Dei cultus et sanctificatio supernaturalis hominum...*”

must be granted expressly, either orally or in writing.” The moral theologian and canonist Prümmer specifically characterizes this canon as “ecclesiastical law.”¹³

Since the canon is *human ecclesiastical law* and not divine law, the requirement for an express grant of jurisdiction could therefore cease on grounds of “common need” (see III.B), because Catholics in mortal sin need absolution and because we priests are obliged to provide it.

Our obligation would arise, as St. Alphonsus explains, “*out of the very nature of the priestly office itself*, to which Christ’s institution has connected this duty, and that a priest *is bound* to fulfill it when the need of the people demands it.”¹⁴

C. Prevailing Obligation. In any case, the grave obligation to dispense the sacraments that *divine* law imposes on traditional Catholic priests in charity and in virtue of their ordination takes precedence over the human ecclesiastical laws cited against them. (See III.C)

D. Legitimate Deputation & Mission. Simultaneously, this same divine law necessarily endows traditional Catholic bishops and priests with legitimate deputation or an apostolic mission to dispense sacraments. (See II) Moreover, if it were otherwise, God would be imposing a grave obligation while withholding any morally licit means to fulfill it – *quod impossibile*.

V. Jurisdiction for Absolution

In the case of legitimate deputation for confession, divine law requires that for valid absolution of sinners, a priest must also possess the power of jurisdiction in addition to the power of Holy Orders. No traditional Catholic priest I know of disputes this.

¹³ *Manuale Theologiæ Moralis* 3:407: “*A jure ecclesiastico statuitur, ut jurisdictionis concessio a) sit expressa sive verbis sive scripto...*” Original emphasis.

¹⁴ Aertnys-Damen 2:26n. “*...ex proprio Sacerdotis officio - - quod Sacerdos exercere tenetur...*” Original emphasis.

Jurisdiction is “a moral power to rule subjects in those things that pertain to their supernatural end.”¹⁵ As noted above, jurisdiction is either *ordinary* (attached to an office) or *delegated* (committed to a person, either by law or a superior). It operates in the *external* forum (the Church as a society) or the *internal* forum (the individual before God – usually meaning in confession).

The jurisdiction we traditional Catholic priests possess has been *delegated* to us from Christ Himself in virtue of the divine law and operates in the *internal* forum, because:

A. Canon 879 ceases. The human ecclesiastical law (canon 879) requiring that jurisdiction for confessions be expressly granted in writing or orally has ceased. (See IV.B)

B. Divine Law provides jurisdiction. The divine law by which Christ grants *jurisdiction* to those he commands to forgive sins (as distinct from *sacramental power* to do so) is found in John 20:21: “As the Father sent me, so I send you.”¹⁶

This divine law always endures, together with the jurisdiction from Christ necessary to fulfill it. It is obvious, says the theologian Herrmann, “that *this power of the keys will last forever* in the Church. For since Christ willed that the Church last until the end of the world, He also lavished upon her the means without which she could not achieve her purpose, the salvation of souls.”¹⁷

Indeed, Christ’s Church must supply jurisdiction for absolution in extraordinary circumstances: “The Church must, because of her special purpose, provide for the salvation of souls, and so *she is therefore bound to provide everything that depends on her power.*”¹⁸

For although, as Cardinal Billot says, ecclesiastical law is directed more at binding than loosing, and divine law is more directed at loosing than binding, ultimately, “the

¹⁵ Merkelbach 3:569.

¹⁶ Merkelbach 3:574.

¹⁷ *Institutiones Theologiæ Dogmaticæ* 2:1743. My emphasis.

¹⁸ Cappello 2:349. My emphasis.

Church's instrumental jurisdiction is directed at loosing – indeed, at loosing the bonds which depend not upon ecclesiastical law, but upon *divine* law.”¹⁹

C. God exercises the authority. Our delegated jurisdiction in the internal forum is “not an ecclesiastical power, but a divine power granted by authority proper to God Himself (who alone is able directly to touch the conscience and the bond of sin). It operates through the pope however as a minister and instrument of divinity, and therefore not by authority proper to the Church, *but rather by God exercising His own authority.*”²⁰

* * * * *

To sum up the foregoing:

- Divine law obliges traditional Catholic priests and bishops to administer sacraments to the faithful. (See I)
- This same divine law also provides legitimate deputation and apostolic mission for their apostolate. (See II)
- Human ecclesiastical (canon) laws whose application impedes fulfilling this divine law have ceased because they are now harmful (*nocivæ*). (See III & IV)
- This includes canon 879, requiring an express grant of jurisdiction for validity of absolution. (See III.B & IV.B)
- Instead, divine law directly delegates jurisdiction in the internal forum to traditional Catholic priests for the absolution they impart. (See V)

None of this, I hasten to add, justifies ignoring the many other provisions of ecclesiastical law regulating the conferral

¹⁹ *Tractatus de Ecclesia Christi* 1:476. My emphasis.

²⁰ Merkelbach 3:569. My emphasis.

and reception of the sacraments, especially those forbidding the conferral of Holy Orders on the ignorant and the unfit.

Christ Himself commands His priests to dispense His sacraments to His flock. Since the pastors invested with jurisdiction for the *cura animarum* have all defected to the modernist religion, their obligation now devolves to us, the few faithful priests who remain.

We confer Christ's sacraments because He has made it our duty.

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SACRAMENTAL INTENTION AND MASONIC BISHOPS

An Old Canard about Abp. Lefebvre's Ordination

Rev. Anthony Cekada

2003

People who are not theologians never seem to understand how little intention is wanted for a sacrament - - The "implicit intention of doing what Christ instituted" means so vague and small a thing that one can hardly help having it – unless one deliberately excludes it. At the time when everyone was talking about Anglican orders, numbers of Catholics confused *intention* with *faith*. Faith is not wanted. It is heresy to say that it is. (This was the error of St Cyprian and Firmilian against which Pope Stephen I [254–257] protested.) A man may have utterly wrong, heretical and blasphemous views about a sacrament and yet confer or receive it quite validly.

- Adrian Fortescue
The Greek Fathers

In the late 1970s, as priests of the Society of St. Pius X began to offer Mass in more and more cities, certain controversialists in the U.S. traditionalist movement began to circulate the story that the Society's founder, Archbishop Marcel Lefebvre (1905-1991) had been ordained to both the priesthood and the episcopacy by a Mason, that the Archbishop's own priestly ordination and episcopal consecration were therefore invalid, and that consequently, all SSPX priests were invalidly ordained as well.

The alleged Mason in question was Achille Cardinal Liénart (1884-1973), Archbishop of Lille (Abp. Lefebvre's native city), and later one of the leading modernists at the Second Vatican Council (1962-1965).

The late Hugo Maria Kellner, the now-defunct publication *Veritas*, Hutton Gibson and a few others – the "Liénartists," we could call them – argued that, since Masonry despised the Church, its adepts among the clergy would naturally want to destroy the priesthood by withholding the required sacramental intention when conferring Holy Orders. All ordinations conferred by Masonic prelates, they

maintained, had to be treated as either invalid or doubtful, including the priestly ordination and episcopal consecration that Archbishop Lefebvre received from Cardinal Liénart.

Since the “Masonry” story still occasionally resurfaces even thirty years later, I decided to revisit this question.

How to begin? The best way is by clarifying the component parts of the Liénartist argument.

This can be done by putting it in the form of a formal logical argument called a “syllogism” – a method employed in manuals of dogmatic theology. A syllogism argues from a *general* statement (for example: All men are mortal), to a *particular* statement (Socrates is a man) to a *conclusion* (Therefore, Socrates is mortal).

You need to prove both your *general* statement and your *particular* statement. Otherwise, you don’t prove your conclusion.

When we boil down the argument of the Liénartists and put it into this form, here is what we get:

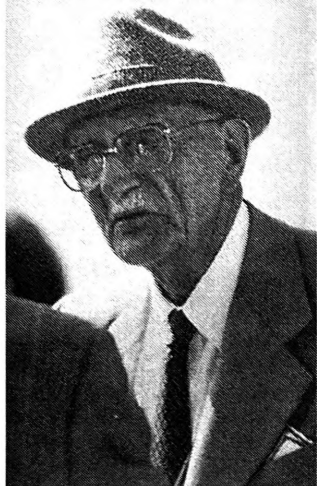


Achille Liénart (1884-1973),
Bishop of Lille, France, in 1928-
1968, made Cardinal in 1930

1. *General Principle*: Whenever a bishop is a Mason, his sacramental intention must be presumed doubtful and all his ordinations therefore presumed doubtful.
2. *Particular Fact*: Achille Liénart was a bishop who was a Mason.
3. *Conclusion*: Achille Liénart’s sacramental intention must be presumed doubtful and all his ordinations therefore presumed doubtful.

The supposed “proof” for point (2) has been more than adequately demolished elsewhere. In his 1982 article entitled “Cracks in the Masonry,” Rama Coomaraswamy demonstra-

ted that all the stories about Cardinal Liénart's supposed Masonic affiliation can be traced back to just one work, *L'Infaillibilité Pontificale* by the Marquis de la Franquerie, a French sensationalist writer. The only source the Marquis gives for the story is an anonymous one – a former Mason identified as “Mister B...”



André de La Franquerie, aka. “Marquis de La Franquerie” (1901-1992), was a French monarchist sensationalist author

Here we will turn our attention instead to point (1), the general principle behind the Liénartist argument. I will demonstrate that it is false because it contradicts the fundamental presumptions that canon law, moral theology and dogmatic theology lay down regarding the validity of sacraments in general, and the intention of the minister of Holy Orders in particular. Further, I will demonstrate that it contradicts the practice of the Church in the past, and leads to manifest absurdities.

1. General Presumption of Validity. Sacraments conferred by a Catholic minister, including Holy Orders, must be presumed valid until invalidity is proved. This is:

the *queen of presumptions*, which holds the act or contract as valid, until invalidity is proved.¹

When the fact of ordination is duly established, the *validity* of the orders conferred is naturally *to be presumed*.²

2. Intention and Holy Orders. When a bishop confers Holy

¹ F. Wanenmacher, *Canonical Evidence in Marriage Cases*, (Philadelphia: Dolphin 1935), 408.

² W. Doheny, *Canonical Procedure in Matrimonial Cases* (Milwaukee: Bruce 1942), 2:72.

Orders using correct matter and form, he must be presumed to have had a sacramental intention sufficient to confect the sacrament – that is, at least “to have intended to do what the Church does.”

This is the teaching of Pope Leo XIII in his pronouncement on Anglican orders:

Now, if a person has seriously and duly used the proper matter and form for performing or administering a sacrament, he is by that very fact *presumed to have intended to do what the Church does*.³

The theologian Leeming says this passage recapitulates the teachings of previous theologians who

all agreed that the outward decorous performance of the rites sets up a *presumption that the right intention exists*. - - The minister of a sacrament is *presumed to intend what the rite means* - - This principle is affirmed as certain theological doctrine, taught by the Church, to deny which would be at least theologically rash.⁴

3. Heresy or Apostasy and Intention. Heresy, or even total apostasy from the faith on the part of the ordaining bishop, does not harm this sufficient intention, because intention is an act of the *will*.

Error in faith, or even total disbelief, does not harm this intention; for concepts of the intellect have nothing in common with an act of the *will*.⁵

4. When Intention Invalidates. An ordination otherwise correctly performed becomes invalid only if the bishop makes an act of the will *not* “to do what the Church does” or *not* “to ordain this person.”

³ Bull *Apostolicæ Curæ*, 13 September 1896.

⁴ B. Leeming, *Principles of Sacramental Theology* (Westminster MD: Newman 1956), 476, 482.

⁵ S. Many, *Prælectiones de Sacra Ordinatione* (Paris: Letouzey 1905), 586.

An ordination is invalid if the minister - - as he confers it on someone, *makes an act of the will not to ordain* that person, because by that very fact he does not have at least the intention of doing what the Church does – indeed, he has a contrary intention.⁶

5. Invalid Intention Never Presumed. A bishop who confers Holy Orders, however, is *never* presumed to have such an intention *not* to ordain, until the contrary is proved.

In performing an ordination *the minister is never presumed to have such an intention of not ordaining*, as long as the contrary would not be proved. For no one is presumed evil unless he is proven as such, and an act – especially one as solemn as an ordination – must be regarded as valid, as long as invalidity would not be clearly demonstrated.⁷

The general principle proposed by the Liénartists, however – “Whenever a bishop is a Mason, his sacramental intention must be presumed doubtful and all his ordinations therefore presumed doubtful” – directly contradicts the foregoing and sets up the *opposite* presumption.

This theory thus treats an accused “Masonic bishop” as guilty until proven innocent. (His sacraments must be treated “as non-sacraments.”) And the burden of proof he must meet to acquit himself is impossible: he must *disprove* a double negative about an internal act of the will (“prove you did *not* withhold your intention”).

This runs contrary to all the principles of equity in civil and canon law.

6. No Support in Theology. For this reason, the Liénartists can cite no pre-Vatican II canonist, moral theologian or dogmatic theologian who proposes or defends their major premise.

Instead, all they offer are the standard quotes about Ma-

⁶ P. Gasparri, *Tractatus de Sacra Ordinatione* (Paris: Delhomme 1893), 1:970.

⁷ Gasparri, 1:970.

sonry – it conspires to destroy the Church, is condemned by popes, promotes Naturalism, is a cause for excommunication, etc.

This merely proves what no one disputes: Masonry is evil.

But since evil men and even unbelievers can confer valid sacraments, it gets no closer to proving the principle that is the basis for their arguments: “Masonic membership = doubtful sacraments.”

If such a general principle were true, popes, canonists and theologians would have told us.

7. No Support in History. The excuse sometimes given for not providing such a citation – “it was not widely known what was going on [regarding Masonic clergy] until the fruits were displayed at Vatican II” – is refuted by the history of the Church in France, where many clergymen were Masons. In France before the Revolution:

One fact is inescapable: the lodges contained a large number of ecclesiastics - - At Caudebec fifteen out of eighty members of the lodge were priests; at Sens, twenty-five out of fifty. Canons and parish priests sat in the Venerable Assembly, while the Cistercians of Clairvaux had a Lodge within the very walls of their monastery! Saurine, a future bishop of Strasbourg under Napoleon, was a governing member of the Grand Orient. We cannot be far from the truth in suggesting that towards the year 1789 *a quarter of French freemasons were churchmen* - - [In 1789 there were] *seven atheists and three deists out of one hundred and thirty-five French bishops*.⁸

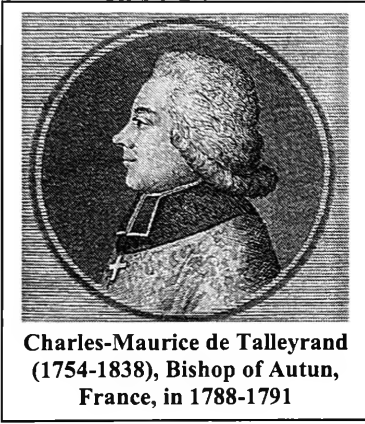


Jean-Baptiste Pierre Saurine was a member of the Jacobin club during the French Revolution, the constitutional Bishop of Landes in 1791-1802 and Bishop of Strasbourg from 1802 until his death in 1813.

⁸ H. Daniel-Rops, *The Church in the Eighteenth Century* (London: Dent 1960), 63, 73. See also J. McManners, *Church and Society in Eighteenth-Century France* (Oxford: University Press 1998), 1:354, 356, 420, 509.

The Masonic revolutionaries set up their schismatic Constitutional Church in 1791 with clergy such as these, the most prominent among them being Charles-Maurice de Talleyrand-Périgord, the former Bishop of Autun and an advocate of the revolutionary cause.

Unlike the case of Cardinal Liénart, it is an established fact that Talleyrand was a Mason – he belonged to the Francs Chevaliers Lodge in Paris. Moreover, he was probably even an unbeliever. On 25 January 1791 Mgr. Talleyrand consecrated the first bishops for the Constitutional Church, and thus all its bishops subsequently derived their consecrations from him.



Nevertheless, when Pope Pius VII signed his 1801 Concordat with Napoleon, he appointed *thirteen bishops from Talleyrand's hierarchy to head the restored Catholic dioceses.*

Among them was the above-mentioned Mgr. Jean-Baptiste Saurine, schismatically consecrated “constitutional” bishop of Landes in August 1791. Of all the Masonic lodges in the world, the Grand Orient of Paris in which Saurine was a governing member has always been considered the most powerful and the most anti-Catholic. Despite this, *Pope Pius VII appointed Mgr. Saurine Bishop of Strasbourg in 1802*, a post that this Masonic bishop retained until his death in 1813.

So in France we find Masonic bishops consecrating other Masons bishops, whom the pope then appoints to head Catholic dioceses, where they confirm children, bless holy oils used to anoint the dying, ordain priests and consecrate other bishops. If the Liénartists' principle were indeed correct, the pope would have permitted none of this, and would have insisted that all bishops from the Constitutional hierarchy submit to conditional re-consecration.

Proof that a cleric was affiliated with Masonry, moreover,

is not necessarily proof of atheism or hatred of the Church. Of the many French clergy involved with Masonry, historian Henri Daniel-Rops says:

There is no reason to think all were, or considered themselves to be, bad Catholics. On the contrary, there must have been a great many of them who saw no incompatibility between their faith and their Masonic membership, and who even regarded Freemasonry as a weapon to be employed in the service of religion. One of these, in Savoy, was Joseph de Maistre, orator of his lodge at Chambéry; he dreamed of creating within the bosom of Masonry a secret staff which would have made the movement a papal army at the service of universal theocracy.⁹

Even though the adherence of many French clergy to Masonry during the revolutionary era was well known, theologians did not treat their sacraments as “doubtful.”

If Masonic bishops had *truly* posed a threat to the validity of the sacraments, one would expect to find theologians, especially among the French, making this argument, or at least debating the issue.

But even French theologians and canonists such as Cardinal Billot,¹⁰ S. Many¹¹ and R. Naz,¹² who otherwise discuss at some length sacramental intention, have nothing at all to say about “doubtful” sacraments from Masons.

In his article on Masonry, moreover, Naz’s only comment on clerics who are members is to note that they incur the penalties of suspension and loss of office.¹³ He says nothing about their membership rendering their sacraments “doubtful.”

8. Absurd Consequences. The absurdity of the Liénarists’ principle is further demonstrated by applying it to (a) the hierarchy of the United States, where it would render

⁹ *Church in the Eighteenth Century*, 63.

¹⁰ *De Ecclesiæ Sacramentis* (Rome: Gregorian 1931), 1:195-204.

¹¹ *Præf. de Sac. Ordinatione*, 585-91.

¹² “Intention,” *Dictionnaire de Droit Canonique* (Paris: Letouzey 1953), 5:1462.

¹³ “Francmaçonnerie,” 1:897-9.

doubtful *forty* episcopal consecrations performed between 1896 and 1944, and to (b) the lower clergy in France, where it would render doubtful *all baptisms* performed since the 18th century.

(a) The episcopal consecrations in the United States are those derived from Mariano Cardinal Rampolla del Tindaro (1843-1913), Pope Leo XIII's Secretary of State. After Rampolla died it is said that among his personal effects was found proof he belonged to a luciferian Masonic sect called the *Ordo Templi Orientalis* (associated with the Satanist Alistair Crowley) and frequented a Masonic lodge in Einsiedeln, Switzerland, where he took his vacations.

Forty American bishops consecrated between 1896 and 1944 derived their consecrations from Rampolla, via either Mgr. Martinelli (the Apostolic Delegate) or Rafael Cardinal Merry del Val, both of whom Rampolla consecrated bishops.¹⁴

If the Liénartists' principle were true, all these bishops would have to be considered "doubtful," because the precise role of assistant bishops at an episcopal consecration as true "co-consecrators" was not clearly defined until 1944.

(b) I have shown that Masonry was widespread among French clergy in the late 18th century. If the principle "Masonic affiliation = doubtful sacraments" were indeed true, it would apply to sacraments conferred by *priests* as well. *This would render "doubtful" all baptisms conferred in France since the 18th century.* After all, who knows which French priests were "secret Masons" and which were not?

* * * * *

Please note that, despite the foregoing I do *not* concede the factual allegation that Cardinal Liénart was indeed a Mason. My aim here is to demonstrate that, had Cardinal Liénart indeed *been* a Mason, one could not for that reason attack the validity of the sacraments he conferred.

¹⁴ See Jesse W. Lonsway, *The Episcopal Lineage of the Hierarchy in the United States: 1790-1948*, plate E.

The Liénartist argument, then, runs afoul of the fundamental presumptions that canon law, moral theology and dogmatic theology lay down regarding the validity of sacraments in general, and the intention of the minister of Holy Orders in particular. It is contradicted by the practice of the Church in the past, and finally ends up in manifest absurdities.

In a word, it is an argument rooted in ignorance.

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UNTRAINED AND UN- TRIDENTINE: HOLY ORDERS AND THE CANONICALLY UNFIT

The Problem of Untrained Clergy in the Traditionalist Movement

Rev. Anthony Cekada

2003

The following incidents actually took place in different traditional Catholic chapels in the U.S.:

- A married man in priestly vestments stands at an altar attempting to offer the Tridentine Mass, but it is obvious that he has no clue about how to go about it. The server (a devout layman) stands up, stations himself next to “Father,” and for the rest of the Mass tells the confused celebrant what to do next.
- “Father” is conducting Holy Week services at a traditionalist chapel in Louisiana. He buys some *boudin*, the spicy Cajun blood sausage, and casually mentions that he just ate most of it in the grocery store’s parking lot. The day is Good Friday.
- “Father” has forgotten to consecrate an extra host for Benediction after Mass. He blesses the congregation with an empty monstrance, and tells the server, “I hope no one will notice.”

* * * * *

In each of these incidents (and many others like them) we encounter a strange and disturbing phenomenon: the would-be traditionalist priest who has been ordained without proper seminary training.

In some cases, he may have been trained as a religious brother, or perhaps even passed a year or two in a seminary.

But he has never completed the required ecclesiastical studies (Latin, philosophy, theology). A gullible or careless old bishop came along and ordained him in the traditional rite, and he begins offering Mass and hearing confessions in a traditionalist chapel.

Or worse, he may lack even *these* negligible credentials. He is a chicken farmer, male nurse, estate liquidator, vestment-maker, short-order cook, doctor, ex-convict, school-teacher, or thrice-expelled seminarian, sometimes with an incongruous marital background (married, divorced, annulled). One day he shows up somewhere to offer the Tridentine Mass, claiming to be a Catholic priest or bishop. He has been ordained or consecrated, it turns out, by an equally untrained “bishop” with connections to the Old Catholics,¹ the Brazilian Apostolic Church,² Palmar de Troya,³ or others.

Allowing such men to function as priests in our midst is, to say the least, contradictory. As traditionalists we esteem the Tridentine Mass. But a Tridentine Mass should be celebrated by a “Tridentine” priest – one trained according to the norms of the Council of Trent.

Those of us old enough to remember how the Tridentine system worked and what standards it set find the notion of an untrained priest not only bizarre, but also positively horrifying.

In the early 1960s at age fourteen, I began ecclesiastical life by entering a minor seminary with 125 other boys. We all knew exactly what the Church required before we could

¹ A group of schismatic bodies connected to the 17th cent. Jansenists of Utrecht, or to the 19th cent. liberals who rejected papal infallibility. For an overview, see A. Cekada, “A Warning on the Old Catholics” (Vol. I, pp. 39-63).

² Founded 1945, by Mgr. Carlos Duarte Costa (1888-1961), former Bishop of Bocatú, Brazil, who was excommunicated for attacking the authority of the pope. This was a liberal movement that instituted a vernacular liturgy, and abolished clerical celibacy and auricular confession.

³ Anti-Vatican II Spanish apparitionist movement founded by seer Clemente Dominguez. In 1976 several bishops for the group were consecrated by the former Archbishop of Hué, Mgr. P.M. Ngô-dinh-Thuc (1897-1984), who later repudiated Palmar. The traditionalist priests Mgr. Thuc consecrated as bishops in 1981, Frs. M.L. Guérard des Lauriers OP, Moises Carmona Rivera and Adolfo Zamora Hernandez were sedevacantists who had no connection with Palmar.

be ordained: Six years of minor seminary (with Latin every year) and six more years of major seminary (two of philosophy, four of theology). Only if we persevered for twelve years – having been tested and judged every step of the way – could we hope to be ordained. There were no exceptions, because (as even boys knew then) the priesthood was the most important job in the world, and whether a soul would go to heaven or hell would one day depend on *you*.

The laity sometimes tolerate the untrained and un-Tridentine “traditionalist” priest because they do not understand the exacting requirements for priestly ordination. In other cases, laymen may feel that “valid sacraments” are all that count, and that the rest is legalistic window dressing – so why be fussy?

Experience, though, teaches that an unschooled, unformed priest is a time-bomb waiting to go off. When the explosion comes, scandal follows and souls are driven away from the traditional Mass.

And when such a priest or bishop emerges from an ecclesiastical underworld where no one had proper training, is it really safe to assume that his ordination or consecration was valid anyway?

But in any case, valid or not, such a person’s presence at the altar and in the confessional degrades the priesthood and endangers souls.

Since I teach a general canon law course and a sacramental law course at an institution that forms young men to become traditional Catholic priests, Most Holy Trinity Seminary, I resolved to write an article explaining some of the principles that church law, moral theology and papal pronouncements lay down about the reception and conferral of Holy Orders.

Here I will cover the following topics:

- 1) Canonical fitness for ordination – i.e., the criteria canon law lays down for determining whether or not a candidate is suitable for the priesthood.

- 2) The sinfulness of conferring Holy Orders on an unfit candidate.
- 3) Whether orders conferred by bishops who themselves were canonically unfit for the priestly state may be presumed valid.
- 4) Whether an unfit candidate who has received orders may exercise them.
- 5) Some objections.

As we shall see, the Church's norms are exacting, and those who do not meet them are unfit to receive, exercise or confer the sacrament of Holy Orders. The ministrations of such clergy, therefore, should be avoided by traditional Catholics everywhere.

I also hope that this discussion will help the lay reader better understand and appreciate the traditional seminary formation received by Catholic priests.

I. Canonical Fitness: The Requirements

Merely wanting to be a priest, even for a worthy motive, does not mean you have a true vocation. Moral theologians and canonists teach that a candidate must also possess canonical fitness (*idoneitas canonica*).

Canon 974.1 sets forth the two general criteria that are the key to ascertaining a candidate's canonical fitness:

- 1) "Moral conduct that conforms to the order to be received" – virtue, in other words.
- 2) "The required knowledge."⁴

If a candidate does not possess these qualities, he is canonically unfit, he has *no* business being a priest, and his ordination would be gravely illicit.

⁴ "Mores ordini recipiendo congruentes," "debita scientia." The canon lists five other requirements that are easy to verify: Confirmation, canonical age, reception of lower orders, observance of the time intervals (interstices) between orders and canonical title for major orders.

Ordinarily, where and how is this judgement made? The decrees of the Council of Trent prescribed that “those who are to be ordained must live in a seminary, and there be formed in ecclesiastical discipline, and receive Holy Orders after having been properly judged.”⁵

Canon 972.1 states the general rule: “All candidates for sacred orders - - are obliged to live in a seminary at least throughout the entire course of their theological studies.”⁶

The seminary program insures that ordinands are “properly judged” (*rite probati*) on the basis of their conduct and their knowledge, and therefore canonically fit for ordination.

Virtue and knowledge can only be acquired, tested and judged over a long period of time. The following is an overview of the spiritual and intellectual formation that the seminary is supposed to provide.

A. Virtuous Conduct

What type of “moral conduct” (*mores congruentes*) is required in a candidate for Holy Orders?

The canonist Regatillo explains that this means the *doctes gratiæ* – the supernatural virtues, especially “piety, chastity, absence of avarice, zeal for souls, the spirit of discipline, and obedience.”⁷

It requires years, as the prudent practice of the Church has shown, to instill these virtues in a candidate and to verify that they have become part of his character.

In his encyclical on the Catholic priesthood and seminary training, Pope Pius XI underscores the care that must be exercised in making this judgement:

Listen to the warning of Chrysostom whom We have quoted: “Impose not hands after the first trial, nor after the second, nor

⁵ F. Wernz SJ & P. Vidal SJ, *Ius Canonicum* (Rome: Gregorian 1934), 4:218.

⁶ Canon 972.1. “Curandum ut ad sacros ordines adspirantes inde a teneris annis in Seminario recipiantur; sed omnes ibidem commorari tenentur saltem per integrum sacra theologiæ curriculum.” I shall discuss one exception below.

⁷ E.F. Regatillo SJ, *Ius Sacramentarium*, 2nd ed. (Santander: Sal Terræ 1949) 912.

yet the third, but *only after a frequent and careful observation and searching examination.*" This warning applies in an especial way to the question of the uprightness of life in candidates for the priesthood. "It is not enough," says the holy Bishop and Doctor St. Alphonsus de Liguori, "that the Bishop know nothing evil of the ordinand; he must have *positive evidence of his uprightness.*"⁸

The principal elements in a seminary program that insure this are:

1. The Seminary Rule. This organizes the seminarian's daily life and forms him in virtues that befit a cleric. It regulates general conduct, spiritual practices, appropriate dress, times of silence, household obligations, acceptable recreation, required permissions, etc.

2. The Daily Schedule. Life at the seminary follows a fairly detailed daily schedule with regularly recurring common spiritual activities (meditation, spiritual reading, Rosary, Divine Office).

Here is our schedule at Most Holy Trinity Seminary:

5:40 Rise	3:30 Sports or Exercise
6:20 Meditation	4:30 Clean up
6:50 Angelus	5:00 Vespers, Chanted
7:00 Mass	5:45 Spiritual Reading or
7:50 Breakfast	Conference
8:30 Class or Study	6:00 Light Supper
12:30 Main Meal	6:30 Recreation
1:00 Recreation	8:00 Rosary, Grand Silence
1:45 Class or Study	9:00 Retire to rooms
3:15 Snack	11:00 Lights out

Such a schedule instills in the seminarian the habit of regularity in the spiritual life which he is supposed to carry with him after ordination. Following it faithfully for many years, moreover, indicates the self-discipline and seriousness of purpose that are indispensable to a devout and zealous priestly life.

⁸ Encyclical *Ad Catholici Sacerdotii*, 20 December 1935, AAS 28 (1936), 42-3. Canon 973.3 uses language nearly identical to the quote from St. Alphonsus.

3. Regular Spiritual Direction. Each seminarian is required to have a spiritual director – a priest other than the seminary Rector who is supposed to guide him in his personal spiritual life. The seminarian meets regularly with his director to discuss his spiritual progress and shortcomings.

4. Observation and Correction by Superiors. Seminary superiors must know their seminarians well and, when necessary, correct them for various faults or shortcomings. This is done either privately or publicly, at the discretion of the superior. The seminarian learns to accept such corrections gracefully as a means to virtue.

5. Faculty Evaluation Prior to Orders. Priests on the seminary faculty are supposed to discuss and (when necessary) vote upon the fitness of a candidate before he is promoted to Holy Orders.

B. The Required Knowledge

Pope after pope teaches that intellectual ability and knowledge are indispensable to the priest.

In his *motu proprio* prescribing the Anti-Modernist Oath, Pope St. Pius X warns that “cultivation of the mind” and “expertise in doctrine” are all the more necessary in candidates for Holy Orders who will have to combat the insidious errors of modernists.⁹

Pius XI warns:

Anyone who undertakes the sacred ministry without training or competence should tremble for his own fate, for the Lord will not suffer his ignorance to go unpunished - - If ever there was an obligation on priests to be men of learning, it is even more pressing at the present time.¹⁰

Pius XII further stresses that the priest will not be able to combat modern errors effectively “unless he has thoroughly

⁹ *Motu proprio Sacrorum Antistitum*, 1 September 1910, AAS 2 (1910), 666, 667-8.

¹⁰ Apostolic Letter *Unigenitus Dei Filius*, 19 March 1924, AAS 16 (1924), 137.

learned the solid fundamentals of Catholic theology and philosophy - - In conformity with Our Apostolic duty, We have insisted earnestly on the importance of a high standard of intellectual training for clerics.”¹¹

The Code of Canon Law lays down the general requirements for the candidate’s intellectual training.

First, it assumes that he will have spent about six years in a minor seminary (high school, junior college), where he will have already learned Latin well, along with the other subjects that an educated man in his country is expected to study.¹²

Then for the major seminary curriculum that precedes priestly ordination, the Code prescribes two years study of philosophy (and related disciplines) and at least four years study of theology.¹³

The following points should be noted:

1. Knowledge of Latin. A priest must know Latin not only because of the Mass, but also because Latin is the language of the Breviary and of Catholic theology.

A priest ignorant of Latin will not understand the Breviary (Divine Office), which forms the principal portion of his daily prayer. It will soon become a mechanical exercise for him, rather than a joy; he will be deaf and uncomprehending to the voice of the Church’s official prayer.

Ignorance of Latin virtually guarantees ignorance of theology, or at best that a priest’s understanding of it will never be more than superficial. All the major treatises on dogma,

¹¹ Exhortation to all the clergy *Menti Nostræ*, 23 September 1950, AAS 42 (1950), 688, 689.

¹² See Canon 1364.

¹³ Canon 1365.1-2. “§1. In philosophiam rationalem cum affinibus disciplinis alumni per integrum saltem biennium incumbant. §2. Cursus theologicus saltem integro quadriennio contineantur, et, præter theologiam dogmaticam et moralem, complecti præsertim debet studium sacræ Scripturæ, historiæ ecclesiasticæ, juris canonici, liturgiæ, sacræ eloquentiæ et cantus ecclesiastici. § 3. Habeantur etiam lectiones de theologia pastoralis, additis practicis exercitationibus præsertim de ratione tradendi pueris aliisque catechismum, audiendi confessiones, visitandi infirmos, assistendi moribundis.”

moral theology and canon law are available only in Latin. Ignorance of Latin cuts you off from this vast and profound body of learning.

Here is Pius XI on the issue:

All clerics without exception should have acquired a thorough knowledge and mastery of the language. - - How can anyone hope to detect and refute these [theological] errors unless he grasps properly the meaning of the dogmas of faith and the force of the words in which they are solemnly defined, in a word, unless he knows the language which the Church uses.¹⁴

And Pius XII:

Let there be no priest who cannot read and speak Latin with ease and facility - - The sacred minister who is ignorant of it must be regarded as deplorably lacking in mental refinement.¹⁵

And here let us stress what the popes and canon law actually require: Not merely that a seminarian can *pronounce* Latin, has “had” some Latin, or has “passed” a Latin course or two, but that the seminarian actually *knows and understands* Latin.

To accomplish this requires a good teacher, a dedicated student, and lots of endless drilling.

At Most Holy Trinity Seminary, Latin is taught at three levels: elementary (fundamental grammar and syntax), intermediate (prose composition) and advanced (prose composition, translations of reading from the Church Fathers). The seminarian does drills and translations in an hour-and-a-half class, five afternoons a week until the priest-instructor is satisfied that the student understands Latin grammar and syntax inside out. Sometimes this takes several years.

The seminarian is then given a test in which he must translate Latin theological texts. If the instructor and the

¹⁴ Apostolic Letter *Officium Omnium Ecclesiarum*, 1 August 1922, AAS 14 (1922), 453-4.

¹⁵ Allocution to the Discalced Carmelites *Magis Quam*, 23 September 1951, in *Discorsi e Radiomessaggi di sua Santità Pio XII* (Vatican: 1952) 13:258. “- - reputandus est lamentabili mentis laborare squalore.”

Rector are satisfied and convinced that the seminarian understands the language sufficiently, he is excused from the class. If they are unpersuaded, the seminarian goes back to class until he learns enough to convince them of his knowledge.

In addition I teach a course on the Latin Psalms of the Breviary. These form the major portion of the Divine Office, which clerics must pray every day after Subdiaconate.

The seminarians must translate the Psalms line by line in class, take daily quizzes on the special vocabulary of the Psalms and learn the meaning of the approximately 240 Latin passages in the Psalter that are particularly difficult to understand.

2. Philosophy. This discipline seeks to impart a systematic and intimate knowledge of the causes and reasons of things in the universe. It considers the world, the cause of the world, and man himself (his nature, origin, operations, moral end, and scientific activities).

An understanding of scholastic ("Thomistic") philosophy is a necessary prerequisite to understanding Catholic theology.

The main courses in this discipline are Logic, Cosmology, Natural Psychology, Metaphysics, Ethics, Theodicy, and History of Philosophy, and at Most Holy Trinity require more than 400 class hours over three years.

3. Theology. This is "the science of God and Divine things" that systematically examines supernatural revelation in the light of Christian faith.

Below is a list of theology courses taught at Most Holy Trinity Seminary. They are typical of requirements in the standard pre-Vatican II theology program, though some material may have been divided differently.

The first two headings listed, Dogmatic and Moral Theology, comprise the two major courses during these four years. The first is a systematic study of the Faith; the second, a thorough examination of the principles and practice of mo-

rality, and therefore especially important for hearing confessions.

- *Dogmatic Theology*. Revelation. The Church. The One God. The Trinity. God the Creator. Grace. The Incarnate Word. Sacraments. Last Things. (680 hrs.)
- *Moral Theology*. General Principles. Theological Virtues. Cardinal Virtues. Ascetical and Mystical Theology. (420 hrs.)
- *Sacred Scripture*. Introduction. (75 hrs.) Reading and Commentary on Texts. (Variable hours.)
- *Canon Law*. General Introduction. Sacramental Law (180 hrs.)
- *Liturgy*. History/General Introduction. Rites in Particular. Modern Age and the New Mass. Rubrics of the Mass. Breviary Psalter Translation. (240 hrs.)
- *Church History*. Primitive Church. Middle Ages. Modern Age. (210 hrs.)
- *Practica*. Homiletics. Gregorian Chant. Practice of Mass. Pastoral Theology.

4. Course Preparation, Exams. In order to teach a subject effectively the professor must prepare extensive notes for himself and the students. The first time a professor teaches a major course, he needs about 3-4 hours to prepare notes for each hour of actual class time.

The seminarian uses these notes to study for exams, which at Most Holy Trinity he takes three times a year. Needless to say, you must pass exams for all major courses.

5. Orders and Studies. The Code of Canon Law also prescribes the point a seminarian must have achieved in his education before his promotion to each major order. These rules applied equally to diocesan and religious order priests:

- *Tonsure, Minor Orders*. Not before beginning theology.

- *Subdiaconate*. Not before near the end of third year of theology.
- *Diaconate*. Not before beginning of fourth year of theology.
- *Priesthood*. Not before middle of fourth year of theology.¹⁶

This was the general law of the Church. Dispensations would sometimes allow earlier conferral of subdiaconate and diaconate.

II. Ordaining the Unfit: Illicit and Sinful

Such is the spiritual and academic formation the Church prescribes to insure that candidates for the priesthood are properly judged (*rite probati*) as to whether they possess the “moral conduct” and the “required knowledge” which, taken together, constitute “canonical fitness” (*idoneitas canonica*) for Holy Orders.

What if a candidate lacks the required formation, and is therefore canonically unfit? Church law is clear:

First, to ordain him would be illicit. Canon 974 lays down



José Joaquín Pérez Budar (1851-1931), patriarch of the schismatic Mexican National Church during the persecutions of the 1920's

¹⁶ Canon 976.1-2. “Nemo sive sæcularis sive religiosus ad primam tonsuram promoveatur ante inceptum cursum theologicam. Firmo præscripto can. 975, subdiaconatus ne conferatur, nisi exeunte tertio cursus theologici anno; diaconatus, nisi incepto quarto anno; presbyteratus, nisi post medietatem eiusdem quarti anni.”

moral conduct and required knowledge as conditions for “licit” ordination, and we have examined in some detail what comprises these conditions.

Second, canon 973 prohibits a bishop *under pain of mortal sin* from ordaining a canonically unfit candidate.

The bishop shall not confer sacred orders on anyone unless he has positive proof, amounting to moral certainty, of the candidate’s canonical fitness; otherwise he [the bishop] not only *sins most gravely*, but also exposes himself to the danger of sharing in the guilt of another.”¹⁷

Two things about this are particularly noteworthy:

- The canon applies not only to the conferral of the priesthood, but also even to the lower sacred orders of diaconate and subdiaconate.
- The canon underlines the serious nature of this prohibition by stating that if the bishop violates it, he “sins most gravely.” This is one of the few passages in the Code that specifically mentions mortal sin as a consequence of violating a canon.

The canonist Regatillo explains that this is a sin “against the public good, which is harmed exceedingly by unworthy ministers.”¹⁸

And finally, in the certificate he issues after the ordination the ordaining bishop must swear that the candidate he has promoted has been duly examined beforehand and “found fit” – *idoneum repertum*.¹⁹

¹⁷ Canon 973.3. “Episcopus sacros ordines nemini conferat quin ex positivis argumentis moraliter certus sit de ejus canonica idoneitate; secus non solum gravissime peccat, sed etiam periculo sese committit alienis communicandi peccatis.” My emphasis.

¹⁸ *Jus Sacramentarium*, 919.

¹⁹ See S. Pietrzyk, *A Practical Formulary in Accordance with the Code of Canon Law* (Little Rock: Pioneer 1949), 168. In an alternative formula the bishop attests that the candidate met all the requirements prescribed by Trent and the Code.

III. Validity of Orders from Unfit Bishops

I have amply demonstrated elsewhere that canonists, moral theologians and various church decrees conceded a general presumption of validity to ordinations and episcopal consecrations conferred by Catholic bishops, Orthodox bishops and schismatic Old Catholic bishops in certain countries.²⁰

These authorities take it for granted that all such bishops follow the rites prescribed in their respective liturgical books, and thus employ the essential matter (imposition of hands) and form (formula proper to each order) required for the validity of an ordination.

But how far does this presumption extend? Does it extend even to orders conferred by an underworld traditionalist “bishop” of the type mentioned at the beginning of this article – someone canonically unfit for the priesthood himself, lacking a proper ecclesiastical education, summarily ordained a priest, and raised to the episcopate, perhaps by a bishop equally ignorant and canonically unfit?

I doubt that any Roman canonist explored such an issue in a pre-Vatican II canon law manual – Holy Orders conferred by, say, a chicken farmer-bishop untrained in Latin and theology.

The principle to be applied, nevertheless, is clear enough: Unless someone has received proper training, no presumption of validity is accorded to the sacraments he confers, because he may not know enough to confer them validly.

This is easily deduced from the following cases.

A. Baptism by a Layman

We all learned in catechism class that while the priest is the ordinary minister of baptism, in an emergency even a layman can validly administer the sacrament.

The moral theologian Merkelbach, however, states that the validity of such a baptism is often suspect in practice,

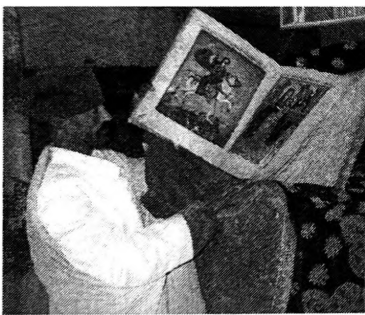
²⁰ “The Validity of the Thuc Consecrations,” Vol. I, p. 245.

and recommends that the priest confer the sacrament again conditionally, unless witnesses can confirm what took place, or unless someone “completely serious - - trustworthy, circumspect, instructed in the rite of baptizing, asserts that he baptized the child properly.”²¹

So while a baptism conferred by the *ordinary* minister always enjoys a presumption of validity, *no* such presumption is conceded when it is conferred by another person who has *not* been properly trained. Instead, someone who knows what is required (in this case, the pastor) must then conduct an inquiry in order to ascertain whether the sacrament was conferred validly.²²

Here, the chicken farmer-bishop’s ordinations fall into the same category as baptisms conferred by the ignorant and untrained – their validity is not presumed, but *suspect*.

B. Ethiopian Schismatics



A monk of the Ethiopian Orthodox (schismatic) Tewahedo Church with a pictured liturgical book

Although the Church treated orders conferred by most Eastern schismatic groups as valid, there was at least one exception.

The schismatic Ethiopian (Abyssinian) clergy were widely regarded as ignorant and barely literate; so too, the schismatic Copts (Egyptians) who provided the Ethiopians with the sole bishop authori-

zed to ordain priests in their country. This bishop, called the “Abuna,” was always a Copt. He was thus unfamiliar with the Ethiopian rites and liturgical language (Ge’ez), and his practice was to ordain thousands of priests at a time in the

²¹ B. Merkelbach, *Summa Theologiæ Moralis*, 8th ed. (Montreal: Desclée 1949) 3:165. “- - persona omnino seria, etiam mera obstetrix, quæ sit fide digna, circumspecta, et in ritu baptizandi instructa - -”

²² A series of questions to be asked is provided by Merkelbach 3:141.

same ceremony.²³

Faced with this, Rome decreed that any Ethiopian priest who wanted to convert and function as a Catholic priest had to attest first that the Abuna imposed hands on his head and recited the prescribed prayers. Otherwise, he had to submit to conditional ordination.²⁴

So where the minister of Holy Orders appeared to lack due knowledge and could not be relied upon to perform the prescribed rite properly, Rome conceded no general presumption of validity, and insisted on an inquiry for each particular case.²⁵

C. Old Catholic Schismatics

Canonists such as Beste²⁶ and Regatillo²⁷ concede the presumption of validity to orders conferred by the Old Catholic bishops in Holland, Germany and Switzerland *only*. Of orders conferred by the countless *other* Old Catholic bishops operating (in the U.S., England, etc.) at the time they were writing, the canonists say nothing at all.

Here too, the distinction appears to be based on whether or not the clergy had an ecclesiastical education. In Holland, Germany and Switzerland, Old Catholic cler-



Gerardus Gul, the
Old Catholic Arch-
bishop of Utrecht
from 1892 to 1920

²³ See A. Fortescue, *The Lesser Eastern Churches* (London: CTS 1913) 308ff.

²⁴ Holy Roman Inquisition, Response *Ordinatio Presbyteri*, 10 April 1704, in P. Gasparri, *Tractatus Canonice de Sacra Ordinatione* (Paris: Delhomme 1893) 1057. This response also refutes the argument made by the Society of St. Pius V that the Catholic priests consecrated bishops by Abp. Thuc in 1981 could not attest to the fact of their own consecrations. If the statements of ignorant Africans about their ordinations (some stark naked when ordained [Fortescue, 311n]) were sufficient proof for Rome, there should be no problem accepting the word of a Dominican theologian (Bp. Guérard) or a seminary professor and pastor (Bp. Carmona) who states that he has been duly consecrated a bishop.

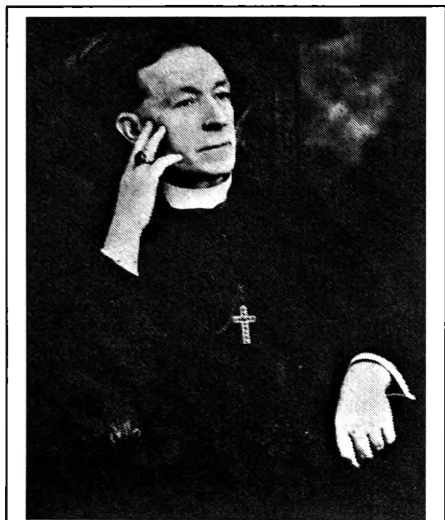
²⁵ The response from the Inquisition (*supra*) provides the questions to be asked in each case.

²⁶ U. Beste, *Introductio in Codicem* (Collegeville MN: St. John's 1946), 951.

²⁷ *Jus Sacramentarium*, 878.

gy were required to have theological training.²⁸ In the other countries Old Catholic bishops conferred ordinations and consecrations pell-mell on hundreds of untrained candidates.

To demonstrate the problem this poses for the validity of Holy Orders conferred in the latter group, we need take as an example only one series of Old Catholic bishops in the U.S.: Mathew (consecrated 1908), de Landas Berghes (1913), Carfora (1916), Rogers (1942), Brown (1969).



Rudolph de Landas Berghes (1873-1920), consecrated bishop by Mathew in 1913, and later the "Archbishop" of the Old Roman Catholic Church of America

While the first and third bishops in the line, Mathew and Carfora, had been properly-trained Catholic priests and presumably would have known how to confer a sacrament properly, the second and fourth, de Landas Berghes and Rogers, are identified only as, respectively, "a distinguished Austrian nobleman" and "a West Indian Negro."²⁹

But navigating through the second most complex ceremony in the Roman Rite –

Episcopal Consecration – and getting the essential parts right (or even knowing what they are) is not exactly something a layman picks up in a Habsburg emperor's court or a Caribbean sugar cane field. There is no reason then to assume that either de Landas Berghes or Rogers had any idea about how to confer this sacrament validly.

²⁸ Dutch Old Catholics studied at their theological school in Utrecht or at a university, Germans at a theological school in Bonn, and the Swiss at the University of Berne. P. Baumgarten, "Old Catholics," *Catholic Encyclopedia* (New York: Appleton 1913) 11:235-6. These groups were also organized and somewhat centralized. They consecrated a limited number of bishops, kept proper records, followed the old ordination rites, and had clear lines of succession.

²⁹ P. Anson, *Bishops at Large* (London: Faber 1964) 189, 433.

This problem is complicated by yet another: Rogers' own *priestly* ordination was doubtful, which would in turn render his episcopal consecration doubtful.³⁰

So by the time we get to Brown in 1969, there is no possible way to sort out whether his orders are valid or not.

Such problems are encountered across the board with orders derived not only from the Old Catholics,³¹ but also from the Brazilian nationalist schismatics.³² Sacraments conferred by the ignorant cannot be presumed valid.

D. A Married Bishop

Finally, a true tale about how some of the clergy described at the beginning of this article actually confer sacraments will illustrate the problem with assuming they are validly ordained or consecrated.

A married bishop ordained another married man a priest using a photocopy of the traditional ordination rite. The photocopy, however, was missing the page containing the essential sacramental form that must be recited for an ordination to be valid.

Since this would-be bishop had no training, he had no idea anything was wrong. The mistake was detected only because an apostate priest (correctly trained) happened to

³⁰ He appears to have been ordained a priest in the Vilatte succession (Anson, 433), which was of uncertain validity. According to most theologians the order of priesthood is required to receive episcopal consecration validly.

³¹ Apologists for the validity of Old Catholic or Old Roman Catholic orders in the United States (the terms are interchangeable) invariably try to support their case by citing the same group of published statements by various Catholic authors. With one exception, however, these statements appeared not in theological works, but in popular ones (various religious dictionaries for the laity, overviews of non-Catholic sects, etc.), or they refer to the Old Catholic bodies in Europe about whose orders there is no dispute. The one article cited from a scholarly journal ("Schismatical Movements among Catholics," *American Ecclesiastical Review* 21 [July 1899], 2-3) is from a passage concerning the specific issue of the *priestly* ordination of René Vilatte which cannot be disputed. The passage cited proves nothing about *subsequent* Old Catholic episcopal consecrations in the U.S., which were a dog's breakfast of the type already described above.

³² Among these bishops we encounter, for instance, a vestment dealer jailed twice for fraud and a seminary drop-out who, starting in 1961, worked his way through at least three different nationalist Old Catholic and Eastern sects.

be present. Not to worry, though. The apostate priest “corrected” the error himself afterwards by imposing hands and reciting the correct form – having announced that he had been secretly consecrated a bishop by Pius XII himself!

* * * * *

From the foregoing, it is clear that those who lack the requisite training for the priesthood cannot be counted on to ordain priests and consecrate bishops validly. Accordingly, Holy Orders conferred in the underworld menagerie of untrained Old Catholic, Brazilian-schismatic or Palmarian chicken farmers, male nurses and estate liquidators can enjoy no presumption of validity.

In the practical order, therefore, their sacraments must be treated as “absolutely null and utterly void.”

IV. Use of Orders by the Canonically Unfit

In the years since Vatican II, various unfit candidates have managed to obtain Holy Orders from Catholic bishops or non-Catholic bishops, and have then gone on to function in traditionalist chapels.

Assuming it could be proven in a given case that the orders so received *were* valid, would it be permissible for such a person to exercise them nevertheless, given the dearth of traditional Catholic priests?

A. Orders from a Catholic Bishop

The specific purpose of a great number of the canons regulating Holy Orders was to prevent a Catholic bishop from *ever* ordaining an unfit candidate to the priesthood, either unknowingly or knowingly, and failing that, preventing such a man from ever functioning as a priest.

In addition to the many regulations already cited, other canons made the diocesan ordinary the proper minister of Holy Orders for all his subjects (thus a gatekeeper against

the unfit),³³ forbade a bishop (under pain of suspension)³⁴ from ordaining without proper permission another bishop's subjects,³⁵ called for testimonial letters for each ordinand (verifying studies, moral character, lack of impediments),³⁶ required examinations in theology for promotion to Major Orders,³⁷ legislated ordination banns (to ferret out impediments),³⁸ forbade (except after rigorous investigation, and in some cases a Vatican dispensation) receiving seminarians who had been dismissed from or even voluntarily left other seminaries or religious institutes.³⁹

Even if an unfit candidate could have maneuvered around these barriers and somehow managed to find a Catholic bishop gullible or careless enough to ordain him – a retired bishop, say – other church laws would *still* have barred him from exercising his illicitly-obtained orders.

Lacking a *celebret* (the document from his diocesan bishop verifying good standing), he could not have offered Mass publicly in any church, and lacking also an indult to celebrate on a portable altar, he could not have offered Mass anywhere else either. Lacking faculties from a diocesan Ordinary, he could not have preached, performed solemn baptism, brought communion to the sick, conferred absolution and extreme unction (except in danger of death), witnessed marriages, or even blessed rosaries and scapulars.

And needless to say, canon law explicitly prohibits a married man who has managed to obtain Holy Orders from exercising them.⁴⁰

³³ Canon 955.1. This was the rule for secular clergy. A slightly different procedure applied for religious, but the effect was the same.

³⁴ Canon 2373.

³⁵ Canons 955-963.

³⁶ Canon 993. Again, a slightly different rule applied for religious.

³⁷ Canons 996-7.

³⁸ Canons 998-1000.

³⁹ Canon 1363.3. SC Religious & SC Seminaries, joint Decree *Consiliis Initis*, 25 July 1941, AAS 33 (1941), 371. SC Seminaries, private to Abp. of Toledo 8 May 1945. SC Seminaries private to Vicar General of Cologne, *Rispondiamo*, 12 January 1950, Ochoa, *Leges Ecclesiae post Codicem* (Rome: 1969) 2:2727-8.

⁴⁰ Canon 132.3. "Conjugatus qui sine dispensatione apostolica ordines majores, licet bona fide, suscipit, ab eorundem ordinum exercitio prohibetur."

In a word, Church law would have barred the canonically unfit priest from nearly *all* priestly acts, because only a priest who had received the required seminary formation would have been authorized to perform them.

Unless you entered the priesthood by this gate, you did not function at all – and this is the standard to apply to the canonically unfit traditionalist clergy who have managed to obtain Holy Orders from a Catholic bishop.

No priestly training, no priestly work.

B. Orders from a Schismatic



Episcopal consecration in the schismatic Brazilian Catholic Apostolic Church. Its founder, Bishop Carlos Duarte Costa, was excommunicated in 1945.

In not a few instances since Vatican II, we encounter the case of a traditional Catholic who receives ordination or even episcopal consecration from a non-Catholic bishop (an Old Catholic or Brazilian schismatic, for instance), and then begins ministering to traditional Catholics. In some cases, he has made a Profession of Faith and Abjuration of Error in an attempt to rectify the anomaly of receiving orders from a schismatic.

As I have noted elsewhere, receiving orders this way might not, in and of itself, incur an excommunication, still less one that would automatically “infect” unsuspecting laymen associated with a person so ordained.

That said, although one traditionalist writer calls such orders “tarnished gold,” the correct adjective is “stolen.” Holy Orders are the property of the Church, whose law forbids the canonically unfit to receive or exercise them.

While the Church usually permitted those who had been raised and ordained in schism to exercise their orders when they abjured and were received into the Church, a *Catholic* who went outside the Church to receive Holy Orders – even

if their validity was certain – was *not* permitted to exercise them, even if he repented of his action.

In 1709 the Holy See was asked the following question about the reception of orders from a schismatic:

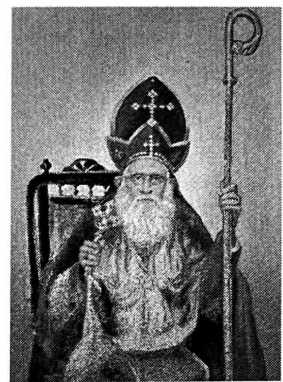
“Because there is a need for priests to serve Armenian Catholic churches both in Aspaan and Giulfa where there are no Armenian Catholic bishops, is it permitted to send someone to be ordained and receive Holy Orders from one of the schismatic and heretical bishops?”

The Holy Office responded: “This is in no way permitted, and those ordained by such bishops are irregular and suspended from the exercise of Orders.”⁴¹

This was also the Church’s practice in the more recent case of René Villatte (1854-1929).

Vilatte, a drop-out from several Catholic seminaries and religious communities, was ordained a priest in 1885 by the Swiss Old Catholic bishop of Berne, and then (it is said) consecrated a bishop in 1892 by Syro-Jacobite schismatics in Ceylon (Sri Lanka). This erratic character consecrated at least seven bishops between 1898 and 1929; no one knows how many priests he ordained.⁴²

In 1925 he made a formal declaration of his repentance before the Papal Nuncio in Paris, was received back into the Church, and was allowed to live in retirement at the Cister-



Alvares Mar Julius (1836-1923) was first a Catholic priest in Goa and then the Metropolitan of Goa and Greater India in the schismatic Malankara Orthodox Syrian Church. In 1892 he consecrated René Vilatte as bishop.

⁴¹ Holy Office, Decree *Bisognando*, 21 November 1709, 278, in *Collectanea S.C. de Propaganda Fide: 1602-1906* (Rome: Polyglot 1907) 1:92. “Bisognando qualche ministro per servizio delle chiese degli armeni cattolici, tanto in Aspaan quanto in Giulfa, per non esservi vescovi armeni cattolici, si mandano ad ordinare ed a prender gli ordini sacri da qualcuno dei vescovi scismatici ed eretici. R. Nullo modo licere; et ordinati ab hujusmodi Episcopis sunt irregulares, ac suspensi ab exercitio Ordinum.” The cities mentioned are in present-day Iran.

⁴² See Anson, 91-129.

cian Abbey of Pont-Colbert at Versailles.

Even though there could be no question about the validity of his priestly ordination, Vilatte was not permitted to exercise the orders he received outside the Church. He was treated as a layman.⁴³

This is the principle to apply to the would-be traditional Catholic priest or bishop who has received priestly ordination or episcopal consecration from schismatics. His orders – even if he could prove their validity beyond any doubt – are “stolen.” He is forbidden to exercise them, and thereby profit from his theft.

V. Objections and Evasions

Here are various objections I have heard made to the foregoing, along with my responses:

1. Private Study. *I can study on my own while I live at home, and then find a bishop to ordain me.*

“The theological course of studies must be taken, not privately, but in schools instituted for this purpose according to the prescribed course of studies laid down in canon 1365.”⁴⁴

And the law prescribes that you must *live* in the seminary: “The obligation affecting the course of theology requires not merely study in a seminary, but actual residence, *and the obligation is a grave one.*”⁴⁵

The purpose of this law is not merely to insure proper *academic* formation. In a seminary superiors will observe,

⁴³ Anson, 126-8. As regards his episcopal orders, Mgr. Chaptal, Auxiliary Bishop of Paris said that Cardinal Merry del Val did not regard Vilatte's ordinations and consecrations as valid because they had been so “commercialized.” Anson, 128. Fr. Joseph van Grevenbroek, the abbot of the Cistercian Abbey of Spring Bank where I was once a novice, had been a young priest at Pont-Colbert when Vilatte was still alive and told us that the abbot of Pont-Colbert, Fr. Janssens, tried to press Cardinal Merry del Val into issuing a statement on the validity of Vilatte's episcopal consecrations. The Cardinal replied: “We'll *never* issue a decision.”

⁴⁴ Canon 976.3 “Cursus theologicus peractus esse debet non privatim, sed in scholis ad id institutis secundum studiorum rationem can. 1365 determinatam.”

⁴⁵ J. Abbo & J. Hannon, *The Sacred Canons* (St. Louis: Herder 1957) 2:972.

form and judge the seminarian's character and behavior – something very difficult to do if he does not live in community with them.

Theology, moreover, is not just some sort of advanced catechism course, but an actual *science*. You need qualified teachers who explain the material and test you on it.

2. Pius XII. *Pope Pius XII didn't go to a seminary, but studied on his own at home, and then was ordained. If he did it, anyone can do it.*

False. Pius XII, because of ill health, received special permission from the Cardinal Vicar of Rome to *live* at home while studying for the priesthood.

This is consistent with an exception allowed by Canon 972.1, permitting the Ordinary to dispense a seminarian from the obligation to reside in a seminary, “in a particular case, and for a grave reason.”⁴⁶

The young Pacelli did not “study on his own.” Although he lived at home, he attended classes at the Pontifical Gregorian University, studied philosophy, Latin and Greek at the University of the Sapienza, and took theology at the Papal Athenaeum of St. Apollinaris where he obtained a Baccalaureate and Licentiate in theology *summa cum laude*.

3. Inapplicable Canons. *Because of the situation in the Church, the canons prescribing a lengthy spiritual and academic formation for priests no longer apply.*

Also false. Canonists such as Cicognani⁴⁷ and Bouscaren-Ellis⁴⁸ lay down specific criteria for when an ecclesiastical law ceases. Commentators agree that intrinsic cessation of an ecclesiastical law occurs only when it becomes useless, harmful or unreasonable.

In light of the many papal pronouncements on the grave obligation to ordain only those who are properly formed, no

⁴⁶ “in casis particularibus, gravi de causa.”

⁴⁷ *Canon Law*, 2nd rev. ed., trans. by Joseph M. O'Hara (Westminster MD: Newman 1934), 625.

⁴⁸ T. Bouscaren & A. Ellis, *Canon Law: A Text and Commentary* (Milwaukee: Bruce 1946), 35.

one can make such a case against the laws cited above.

Nor may one invoke *epikeia* or equity here, for this must be governed by what moralists call *gnomé*, a type of mature prudence in judgement.⁴⁹ Popes, as we have seen, have warned time and time again that it is *imprudent* and *dangerous* to ordain the canonically unfit.

4. Need for Priests. *We live in extraordinary times. Our greatest need is to have more priests to celebrate the traditional Mass. So what if they don't have proper training? Having the Mass is all that matters.*

First listen to Pius XI: "One well-trained priest is worth more than many trained badly or scarcely at all. For such would be not merely unreliable but a likely source of sorrow to the Church."⁵⁰

Then St. Thomas: "God never abandons His Church; and so the number of priests will be always sufficient for the needs of the faithful, provided the worthy are advanced, and *the unworthy sent away* - - Should it ever become impossible to maintain the present number, *it is better to have a few good priests than a multitude of bad ones.*"⁵¹

5. "My Vocation." *A traditional Catholic who perseveres in wanting to be a priest, even though he has been turned away by various traditionalist seminaries and has not received proper training, would be justified in obtaining ordination nevertheless.*

Such a person is a recurring "type," both in the history of the Old Catholic movement and in certain modern-day traditionalist circles. He is the Catholic who wants to be a priest, but is repeatedly told by various seminary and religious superiors that he is unfit for the priesthood on intellectual, spiritual, moral or psychological grounds.

Instead of accepting their judgement, he decides he knows

⁴⁹ See D. Prümmer, *Manuale Theologiæ Moralis*, 10th ed. (Barcelona: Herder 1946) 1:231, 634.

⁵⁰ *Ad Catholici Sacerdotii*, loc. cit., 44. My emphasis.

⁵¹ *Sum. Theol. Suppl.*, 36.4.1. My emphasis.

better, so he talks a retired Catholic bishop into ordaining him, or goes to a schismatic who not only ordains him, but even makes him a bishop. No fuss, no need to pass years in a seminary where he is tested and judged for “positive proof of uprightness” and “the required knowledge.”

It never occurs to the would-be priest that his act demonstrates that he lacks either the virtues (prudence, humility, etc.) or the knowledge (of church law, etc.) that a candidate for ordination should possess.

In other words, the very fact he has obtained Holy Orders this way *confirms* what superiors told him earlier: He has *no* vocation and he is unfit to be a priest.

6. Bad Results. *Many priests produced by the old system before Vatican II turned out bad, as even did many priests produced by traditionalist seminaries after Vatican II. Why insist on going through all this trouble?*

The reason in both cases is fallen human nature. Priests who have been well trained can nevertheless fall into sin or abandon the faith. Such failures of individuals do not discredit the system that the Council of Trent established and canon law prescribed.

As any parent knows, you can faithfully and consistently provide children with all the proper religious and moral training called for in manuals for Catholic parents, but the child as an adult can still choose to go astray. The important thing for the parent’s own salvation, however, is that he did his duty.

7. We’re Contemplative Monks. *We are monks, so we don’t need all this rigorous academic training in Latin, philosophy and theology before ordination. Besides, intellectual pursuits and arguments make priests worldly and proud. Our only interest is contemplation.*

This may sound plausible to laymen and even to some priests, but as a former Cisterican monk, I don’t buy it.

The abbey I entered and another abbey to which I was later sent were both contemplative houses with strict mo-

nastic observances. Nevertheless, monks from both had always been required to receive the same academic formation before ordination that other priests received.

Pius XI, moreover said you *do* need the studies: “The principal object of this Letter is to exhort religious, whether they are already ordained or preparing for admission to the priesthood, to assiduous study of the sacred sciences; *unless they are thoroughly acquainted with these subjects, they will not be capable of fulfilling properly the duties of their vocations.*”⁵²

Nor – again according to Pius XI – can you play the contemplative card to justify ignorance: “It is a mistake for them [those who lead the contemplative life of the cloister] to think that, if theological studies were neglected before ordination or subsequently abandoned, they can easily dwell in the height and be raised up to interior union with God, even though they lack that abundant knowledge of God and of the mysteries of the faith which is derived from the sacred science.”⁵³

8. Too Much Work. *Providing all the academic training traditionally required is impossible. There are not enough professors or priests to do all this work.*

Teaching courses on Latin, philosophy and theology *is* a lot of work.

But it is possible in our times to give seminarians a complete academic formation that will be sufficient in their priestly work.

There are many excellent basic seminary manuals that cover all the necessary ground for the required courses. It takes a lot of time and self-discipline for the teacher to prepare classes based on these manuals and for the student to learn the material they contain.

The effort required to organize and supervise this is worth it – because it produces a properly-formed priest worthy of his calling.

⁵² *Unigenitusque Dei Filius*, loc. cit., 136-7.

⁵³ *Ibid.* 137.

9. Sterile Polemic. *You are engaging in sterile intellectual polemics in which we have no interest. Your comments are uncharitable, unspiritual and divisive. As a priest, you should keep them to yourself. You are like the Pharisee who boastfully looked upon himself as someone special above the rank and file of the unworthies of the world!*

Here is Pius XI on our responsibility to speak out against an ill-trained clergy: "What a terrifying account, Venerable Brethren, we shall have to give to the Prince of Shepherds, to the Supreme Bishop of souls, *if we have handed over these souls to incompetent guides and incapable leaders.*"⁵⁴

VI. Resumé and Conclusions

We may sum up the foregoing as follows:

(1) Church law requires that anyone ordained to the priesthood possess canonical fitness (*idoneitas canonica*).

The two principal criteria that determine a candidate's canonical fitness for ordination are (a) virtuous conduct (*mores congruentes*) and (b) the required knowledge (*debita scientia*).

The seminary system established by the Council of Trent and prescribed by canon law provides candidates for ordination with a proper spiritual formation (through the seminary rule, daily schedule, regular spiritual direction, observation and correction, and faculty evaluation) and the required ecclesiastical education (knowledge and understanding of Latin, two years philosophy, four years theology). The Tridentine system insures that ordinands are "properly judged" (*rite probati*) over a long period of time on both their conduct and their knowledge, and that they are therefore indeed canonically fit for ordination.

Papal legislation and pronouncements repeatedly warn that these requirements are *grave* obligations and that ignoring them endangers the souls of the faithful.

⁵⁴ *Ad Catholici Sacerdotii*, 44. The last part of the phrase is not only more pointed in Latin, but also very cleverly balanced: "rectoribus inertis imperitisque magistris".

A candidate who has not been “properly judged” according to the norms of law as to his virtue and knowledge is canonically unfit for the priesthood.

(2) A bishop who confers major orders on a canonically unfit candidate commits mortal sin. (Canon 973.)

(3) Holy orders conferred by a canonically unfit bishop – one who, as among the Old Catholics, Brazilian schismatics, the Palmar de Troya hierarchy and others, lacked the requisite seminary education – enjoy *no* presumption of validity. In practice, therefore, episcopal or priestly orders derived from such bishops must be treated as invalid.

(4) Even if in a particular case a canonically unfit candidate *could* prove that his priestly ordination or episcopal consecration was certainly valid, he would *still* be barred from exercising the orders so received, irrespective of whether they were conferred upon him by a Catholic or a schismatic prelate.

* * * * *

The law and tradition of the Church, then, require that her ministers be formed and tested for their virtue and knowledge before receiving the dignity of Holy Orders, and that the unfit be excluded.

A canonically unfit priest or bishop, even though he may be validly ordained, dishonors the Catholic priesthood and endangers the salvation of souls each time he ascends the altar, enters the confessional or – still worse – puts on a miter and raises to Holy Orders yet more of the ignorant and the unfit.

The dignity of Christ’s priesthood and the general good of the Church require that the traditional Catholic laity refuse sacramental ministrations from these men and give no support to their apostolates. To do otherwise lends credence and respectability to what deserves only contempt and condemnation, as is evident from the terrifying words of Pope Pius XI:

Anyone who undertakes the sacred ministry without training or competence should tremble for his own fate, for the Lord will not

suffer his ignorance to go unpunished; it is the Lord who has uttered the dire warning: "Because thou hast rejected knowledge, I will reject thee, that thou shalt not do the office of priesthood to me." (Osee 4:6)

If the Lord Himself rejects the unfit, the traditional Catholic laity can do no less – for the only type of person fit to celebrate a Tridentine Mass is a real Tridentine priest.

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THE BELLARMINE “RESISTANCE” QUOTE: ANOTHER TRADITIONALIST MYTH

Rev. Anthony Cekada

St. Gertrude the Great Newsletter, October 2004

Since the 1970s, countless traditionalist writers who have rejected the Vatican II teachings and the New Mass but who oppose sedevacantism have justified their own position by mindlessly recycling the following quote from St. Robert Bellarmine:

Just as it is licit to resist a Pontiff who attacks the body, so also is it licit to resist him who attacks souls or destroys the civil order or above all, tries to destroy the Church. I say that it is licit to resist him by not doing what he orders and by impeding the execution of his will. It is not licit, however, to judge him, to punish him, or to depose him, for these are acts proper to a superior. (*De Romano Pontifice*, II.29.)



This passage, we have repeatedly been told, supports the notion that the traditionalist movement can “resist” the false doctrines, evil laws and sacrilegious worship that Paul VI and his successors promulgated, but still continue to “recognize” them as true Vicars of Christ. (This strange idea is also attributed to other theologians such as Cajetan.)

The same passage in Bellarmine – we have also been told – shoots down the principle behind sedevacantism (that a heretical pope automatically loses his office) because sedevacantists “judge” and “depose” the pope.

These conclusions, it turns out, are simply another example of how low intellectual standards in traditionalist polemics give birth to myths that quickly take on the aura of near-revealed truths.

Anyone who actually consults the original sources and who understands a few fundamental distinctions in canon law comes up with a completely different set of conclusions about what the famous “resistance” passage really means, to wit:

- 1) Bellarmine is talking about a morally *evil* pope who gives morally evil *commands* – not one who, like the post-Vatican II popes, teaches doctrinal error or imposes evil laws.
- 2) The context of the statement is a debate over the errors of Gallicanism, not the case of a heretical pope.
- 3) Bellarmine is justifying “resistance” by *kings and prelates*, not by individual Catholics.
- 4) Bellarmine teaches in the next chapter of his work (30) that a heretical pope automatically loses his authority.

In a word, the passage can neither be applied to the present crisis nor invoked against sedevacantism.

A brief comment on each of these four points is in order

1. Evil Commands, not Laws. Traditionalists do indeed “resist” the false doctrines (e.g., on ecumenism) and evil laws (e.g. the New Mass) promulgated by the post-Conciliar popes.

But in the famous quote Bellarmine addresses another case entirely: he has been asked about a pope who unjustly attacks someone, disturbs the public order, or “tries to kill souls by his bad example.” (*animas malo suo exemplo nitatur occidere*.) In his reply he says “it is licit to resist him by not doing what he *orders*.” (...*licet, inquam, ei resistere, non faciendo quod jubet*.)

This language describes a pope who gives bad *example* or evil *commands*, rather than – as would be the case with Paul VI or his successors – a pope who teaches **doctrinal error** or imposes **evil laws**. This is clear from chapter 27 of Cardinal Cajetan’s *De Comparatione Auctoritatis Papæ et Concilii*, which Bellarmine then immediately cites to support his position.

First, in his title for chapter 27 Cajetan says he is going to discuss a type of papal offense “other than heresy.” (*ex alio crimine quam hæresis*.) Heresy, he says, completely alters a pope’s status as a Christian (*mutavit christianitatis statum*). It is the “greater crime” (*majus crimen*). The others are “lesser crimes” (*criminibus minoribus*) that are “not equal to it” (*cetera non sunt paria*, [ed. Rome: Angelicum 1936] 409).

Neither Bellarmine nor Cajetan, therefore, are referring to “resisting” a pope’s doctrinal errors while continuing still to consider him a true pope.

Second, throughout *De Comparatione*, Cajetan provides specific examples of the papal misdeeds that *do* justify this resistance on the part of subjects: “promoting the wicked, oppressing the good, behaving as a tyrant, encouraging vices, blasphemies, avarices, etc.” (356), “if he oppresses the Church, if he slays souls [by bad example]” (357), “dissipating [the Church’s] goods” (359), “if he manifestly acts against the common good of charity towards the Church Militant” (360), tyranny, oppression, unjust aggression (411), “publicly destroying the Church,” selling ecclesiastical benefices, and bartering offices (412).

All these involve evil commands (*præcepta*) – but evil commands are not the same as evil laws (*leges*). A *command* is particular and transitory; *law* is general and is stable. (For an explanation, see R. Naz, “Précepte,” *Dictionnaire de Droit Canonique*, [Paris: Letouzey 1935-65] 7:116-17).

Bellarmino and Cajetan’s argument justifies only resisting a pope’s evil commands (to sell the pastorate of a parish to the highest bidder, say). It does not support the notion that a pope, while still retaining authority from Jesus

Christ, can (for example) impose a sacrilegious, Protestantized Mass on the whole Church, whose members can then “resist” him, while continuing to recognize him as a true pope.

2. Anti-Gallicanism. Traditionalist writers have further distorted the passage because they quote it out of context.

It appears in Bellarmine’s discussion of an issue completely unrelated to any faced by present-day traditionalists: the Protestant and Gallican arguments that the Church or the pope should be subject to a king or a general council. The passage comprises merely *one sentence* in a chapter that covers two-and-a half, two-column quarto pages of fine print devoted to this topic. (See *De Controversiis* [Naples: Giuliano 1854] 1:413-18).

Specifically the passage is taken from Bellarmine’s reply to the following argument:

Argument 7. Any person is permitted to kill the pope if he is unjustly attacked by him. Therefore, even more so is it permitted for kings or a council to depose the pope if he disturbs the state, or if he tries to kill souls by his bad example. (*op. cit.* 1:417)

This was the position of the Gallicans, who placed the authority of a general council above that of a pope.

It is absurd to claim that one sentence in Bellarmine’s reply to *this* argument somehow justifies across-the-board “resistance” to the post-Vatican II errors.

The absurdity becomes all the more evident when you notice that immediately after this one sentence Bellarmine cites Cajetan’s *De Comparatione* – all 184 octavo pages of which were written to refute the errors of Gallicanism and Conciliarism.

3. Not Individual “Resistance.” In context, furthermore, the quote from Bellarmine does not justify “resistance” to popes by *individuals* – as some traditionalists seem to think – but resistance by *kings* or *general councils*.

The Gallican position that Bellarmine refuted maintained that it is permitted “for **kings or a council**” (*licebit regibus vel concilio*) to depose a pope. Nothing about individual priests or laymen there.

Once again this meaning is clear from Cajetan’s chapter 27. “Secular princes and the prelates of the Church [*principes mundi et prælati Ecclesiæ*],” he says, have many ways available for arranging “resistance or an obstruction to an abuse of power [*resistentiam, impedimentumque abusus potestatis*].” (412).

It is therefore impossible to maintain that Bellarmine and Cajetan were addressing the issue of an *individual* Catholic resisting the pope.

4. Bellarmine and a Heretical Pope. And finally, in the chapter that follows the famous quote (30), Bellarmine explicitly treats the question: “Whether a heretical pope can be deposed.” (*An papa hæreticus deponi possit.*)

Bellarmino refutes answers given by various theologians, including Cajetan, who maintained that a heretical pope would need to be deposed. He bases his own answer on the following principle:

Heretics are outside the Church even before their excommunication, and, deprived of all jurisdiction, are condemned by their own judgement, as St. Paul teaches in Titus 3. (*op.cit.* 1:419)

The saint concludes:

The fifth opinion therefore is the true one. A pope who is a manifest heretic automatically (*per se*) ceases to be pope and head, just as he ceases automatically to be a Christian and a member of the Church. Wherefore, he can be judged and punished by the Church. This is the teaching of all the ancient Fathers who teach that manifest heretics immediately lose all jurisdiction.

Bellarmino’s writings, then, *support* rather than refute the principle behind the sedevacantist position: a heretical pope is self-deposing.

To sum up: The notion that the famous Bellarmine passage justifies “resistance” to a true pope and simultaneously “refutes sedevacantism” is based on ignorance of both the meaning of the text and its context. It is time for traditionalists to stop promoting such foolish myths.

A true pope does not teach doctrinal error for decades or promulgate a sacrilegious Mass – there is no need to resist him.

SEDEVACANTISM REFUTED? SOME COMMON OBJECTIONS

Conclave Rules, Public Heresy, Notoriety, Declarations
Rev. Anthony Cekada
August 2004

Traditionalist tracts posted on the Internet continue to circulate some of the same objections to sedevacantism.

A recent example is the rather optimistically-entitled “Sedevacantism Refuted” by Thomas Sparks, a tertiary of the St. Benedict Center group.

Mr. Sparks’ article is prolix. Nevertheless, he gathers together some of the more commonly-heard arguments against sedevacantism – those based on Pius XII’s legislation for papal elections, the canonical concepts of “public” and “notorious” heresy, a supposed need for official declarations, the famous quote from St. Robert Bellarmine on “resisting” a pope who harms souls, and a few others.

It is worth revisiting these objections now and again. Most can be dealt with summarily, simply by restating a few principles of canon law.

I will begin with one general observation.

Like many who have written against sedevacantism, one fundamental flaw runs through Mr. Sparks’ article: he seems utterly unaware of the distinction between human ecclesiastical (canon) law and divine law, and how this distinction applies to the case of a heretical pope.

Heresy is both a **crime** (*delictum*) against *canon* law and a **sin** (*peccatum*) against *divine* law. The material Mr. Sparks quotes deals with heresy as a *delictum* and with the ecclesiastical censure (excommunication) that the heretic incurs.

This is mostly irrelevant to the case of a heretical pope. Because he is the supreme legislator and therefore not subject to canon law, a pope cannot commit a true *delictum* of heresy or incur an excommunication. He is subject only to the *divine* law.

It is by violating the *divine* law through the *sin* (*peccatum*) of heresy that a heretical pope loses his authority – “having become an unbeliever [*factus infidelis*],” as Cardinal Billot says, “he would **by his own will** be cast outside the body of the Church.”¹

The canonist Coronata explains:

If indeed such a situation would happen, he [the Roman Pontiff] would, **by divine law**, fall from office without any sentence, indeed, without even a declaratory one.”²

So, all the canonical requirements governing the *delictum* of heresy need not be fulfilled for a heretical pope to lose his authority – his public sin against *divine* law (infidelity) suffices.

Despite this, the heresy of the post-Vatican II popes *does* indeed meet many of the criteria canon law lays down for the canonical *crime* of heresy, as we will see in points 2 and 3 below.

That said, we turn to some of the particular objections Mr. Sparks and others have adduced against sedevacantism.

1. Papal Election Legislation. *OBJECTION: The law for papal elections promulgated by Pius XII allows a heretic to be validly elected pope.*

False. Heresy is an impediment of divine law to receiving papal authority:

Appointment to the Office of the Primacy [i.e. papacy]. 1° What is required **by divine law** for this appointment. - - For validity it is also required that the person appointed be a member of the Church. Heretics and apostates (at least public ones) are therefore *excluded*.³

Pius XII’s Constitution suspends impediments of *ecclesiasti-*

¹ *De Ecclesia*, 5th ed. (1927), 632.

² *Institutiones Iuris Canonici* (1950), 1:316. My emphasis.

³ Coronata, *Inst. I.C.* 1:312. My emphasis.

cal law *only* – censures such as excommunication, etc.⁴ It does not and could not suspend impediments of *divine* law.

The Constitution is therefore irrelevant to a discussion of the *sede vacante* position, properly understood.

2. Public Heresy. *OBJECTION: For a pope's heresy to be "public," canon law requires that large numbers of people throughout the Church actually recognize a pope's statements as heretical.*

False.

Such "actual publication"⁵ the canonist Michels says, is not required – only "the positive danger that publication can easily and proximately take place."⁶ This would occur, for example, "in surroundings necessarily accompanied by publication, such as one *committed in a public place or gathering* with many persons present, or through a means naturally directed toward publication, such as *heresy professed in a public journal*."⁷

Heresy proclaimed to the crowds in St. Peter's Square or published in *Osservatore Romano*, therefore, is public as regards ecclesiastical law, no matter how few people fail to recognize what is said as heretical.

3. Notorious Heresy. *OBJECTION: For a pope's heresy to be "notorious," moreover, canon law requires that large numbers of people throughout the Church actually recognize a pope's formal, pertinacious guilt; even then, various excuses from culpability would also excuse a pope from "notorious" heresy.*

False on both counts:

(A) The public notice⁸ required for notoriety is also present when the existence of an offence is "established in a public way."⁹

⁴ See para. 34: " - - aut alius *ecclesiastici* impedimenti prætextu."

⁵ *divulgatio seu notitia actualis*.

⁶ *facilis et proximæ divulgationis*.

⁷ *De Delictis et Pœnis* (Paris: Desclée 1961), 1:131. My emphasis.

⁸ *notitia publica*.

⁹ *constat publico modo*.

This occurs, Michels says, when it “is established through authentic public documents - - because such documents of their nature are open to inspection by many people, and therefore necessarily bring with them public notice.”¹⁰

The authentic public digest for all the documents of the Holy See is the *Acta Apostolicæ Sedis*.¹¹ Publishing heretical decrees, pronouncements and encyclicals in the *Acta* would therefore render heresy notorious.

(B) The Code of Canon Law gives seven general causes that exclude moral culpability (and hence “notoriety”) in an offense: lack of reason, habitual inculpable ignorance, actual inculpable inadvertence or error, involuntary intoxication, physical force, uncontrollable passion preceding an act of the will, and legitimate self-defense.¹²

In plain English, these boil down to: I was crazy, stupid, daydreaming, drunk, strong-armed, angry or defending myself.

Of the many speculative excuses Mr. Sparks and others offer for the heresies of the post-Conciliar popes, the only ones that seem to fit on this list imply some sort of ignorance – the “I-was-stupid” excuse.

But in the case of a pope, would pleading “theological ignorance” save the day?

*If the delinquent making this claim be a cleric, his plea for mitigation must be dismissed, either as untrue, or else as indicating ignorance which is affected, or at least crass and supine - - His ecclesiastical training in the seminary, with its moral and dogmatic theology, its ecclesiastical history, not to mention its canon law, all insure that the Church’s attitude towards heresy was imparted to him.*¹³

Paul VI and John Paul II were both bishops who had earned Roman doctorates. Does this make for a convincing “I-was-

¹⁰ *De Delictis* 1:140.

¹¹ See canon 9.

¹² See canon 2199ff.

¹³ McDevitt, *The Delict of Heresy*, CU Canon Law Studies 77 (Washington: 1932), 48. My emphasis.

stupid” defense?

4. Need for a Declaration. *OBJECTION: Before a heretical pope would lose his authority, the cardinals would first need to make a declaration.*

False, for four reasons:

(A) Most traditionalist writers, including Mr. Sparks, confuse two things: actual *loss of authority* by a heretical pope and the *legal declaration* canon law would require before the cardinals (or, according to some, an imperfect general council) could elect his successor.

If a heretical pope continued to function *de facto* as if he were still the Successor of Peter, the electors would then have to declare that the papal office was vacant *de jure* before they could validly elect anyone else.¹⁴

This, it seems, explains why a few canonists spoke about the need for a declaration.

(B) In *Cum ex Apostolatus Officio* (1559), Paul IV decreed that no declaration was necessary for a heretical pope to lose his office; it would occur automatically.¹⁵

(C) Nearly all theologians who treated the question after *Cum ex Apostolatus* (including St. Robert Bellarmine) taught that a heretical pope would lose his authority without any declaration.¹⁶

(D) But raising the issue in the present circumstances is a red herring anyway. Should we expect modernist cardinals to depose a modernist pope by declaring him a modernist heretic?

5. Bellarmine and “Resistance.” *OBJECTION: Bellarmine, Cajetan and other theologians teach that a pope can “some-what” destroy the Church; he remains a true pope, but Catholics are permitted to resist him. Based on this principle, traditionalists can “resist” the post-Vatican II popes, while continuing to recognize them as true popes.*

¹⁴ See canon 151 for the general principle applicable to all ecclesiastical offices.

¹⁵ See para. 6: “eo ipso, absque aliqua desuper facienda declaratione.”

¹⁶ See the texts I reproduce in *Traditionalists, Infallibility and the Pope*. (Vol. I, pp. 370-376)

False – and a major misreading of Bellarmine.

Countless traditionalist writers (Mr. Sparks included) mindlessly recycle a quote from St. Robert Bellarmine that is usually rendered as follows:

Just as it is licit to resist a Pontiff who attacks the body, so also is it licit to resist him who attacks souls or destroys the civil order or above all, tries to destroy the Church. I say that it is licit to resist him by not doing what he orders and by impeding the execution of his will. It is not licit, however, to judge him, to punish him, or to depose him, for these are acts proper to a superior.¹⁷

This, we are told, supports the notion that the traditionalist movement can “resist” the false doctrines, evil laws and sacrilegious worship that Paul VI and his successors promulgated, but still continue to “recognize” them as true Vicars of Christ. (This strange idea is also attributed to other theologians such as Cajetan.)

The same passage – we are also told – shoots down the principle behind sedevacantism (that a heretical pope automatically loses his office) because sedevacantists “judge” and “depose” the pope.

But these conclusions are simply another example of low intellectual standards in traditionalist polemics. Anyone who consults the original sources for the Bellarmine passage and who understands a few fundamental distinctions in canon law can easily see that:

- a) Bellarmine is talking about a morally *evil* pope who gives morally evil *commands* – not one who, like the post-Vatican II popes, teaches doctrinal error or imposes evil laws.
- b) The context of the statement is a debate over the errors of Gallicanism, not the case of a heretical pope.

¹⁷ *De Romano Pontifice*, II.29.

- c) Bellarmine is justifying “resistance” by *kings and prelates*, not by individual Catholics.
- d) Bellarmine teaches in the *next* chapter of his work (30) that a heretical pope automatically loses his authority.

A brief comment on each of these points is in order.

(A) Evil Commands, not Laws. Traditionalists do indeed “resist” the false doctrines (e.g., on ecumenism) and evil laws (e.g. the New Mass) promulgated by the post-Conciliar popes.

But in the famous quote Bellarmine addresses another case entirely: he has been asked about a pope who unjustly attacks someone, disturbs the public order, or “tries to kill souls by his bad example.”¹⁸ In his reply he says “it is licit to resist him by not doing what he orders.”¹⁹

This language describes a pope who gives bad *example* or evil *commands*, rather than – as would be the case with Paul VI or his successors – a pope who teaches *doctrinal error* or imposes *evil laws*. This is clear from chapter 27 of Cardinal Cajetan’s *De Comparatione Auctoritatis Papæ et Concilii*, which Bellarmine then immediately cites to support his position.

First, in his title for chapter 27 Cajetan says he is going to discuss a type of papal offense “other than heresy.”²⁰ Here, he says, completely alters a pope’s status as a Christian.²¹ It is the “greater crime.”²² The others are “lesser crimes”²³ that are “not equal to it.”²⁴

Neither Bellarmine nor Cajetan, therefore, are referring to “resisting” a pope’s doctrinal errors while continuing still to consider him a true pope.

¹⁸ *animas malo suo exemplo nitatur occidere.*

¹⁹ *licet, inquam, ei resistere, non faciendo quod jubet.*

²⁰ *ex alio crimine quam hæresis.*

²¹ *mutavit christianitatis statum.*

²² *majus crimen.*

²³ *criminibus minoribus.*

²⁴ *cetera non sunt paria.* ed. Rome: Angelicum 1936, 409.

Second, throughout *De Comparatione*, Cajetan provides specific examples of the papal misdeeds that do justify this resistance on the part of subjects: “promoting the wicked, oppressing the good, behaving as a tyrant, encouraging vices, blasphemies, avarices, etc.” (356), “if he oppresses the Church, if he slays souls [by bad example]” (357), “dissipating [the Church’s] goods” (359), “if he manifestly acts against the common good of charity towards the Church Militant” (360), tyranny, oppression, unjust aggression (411), “publicly destroying the Church,” selling ecclesiastical benefices, and bartering offices (412).

All these involve evil commands (*præcepta*) – but evil commands are not the same as evil laws (*leges*). A *command* is particular and transitory; *law* is general and is stable.²⁵

Bellarmino and Cajetan’s argument justifies only resisting a pope’s evil commands (to sell a benefice, say). It does not support the notion that a pope, while still retaining authority from Jesus Christ, can (for example) impose a sacrilegious, Protestantized Mass on the whole Church, whose members can then “resist” him, while continuing to recognize him as a true pope.

(B) Anti-Gallicanism. Traditionalist writers have further distorted the passage because they quote it out of context.

It appears in Bellarmine’s discussion of an issue completely unrelated to any faced by present-day traditionalists: the Protestant and Gallican arguments that the Church or the pope should be subject to a king or a general council. The passage comprises merely *one sentence* in a chapter that covers two-and-a-half, two-column quarto pages of fine print devoted to this topic.²⁶

Specifically the passage is taken from Bellarmine’s reply to the following argument:

Argument 7. Any person is permitted to kill the pope if he is un-

²⁵ For an explanation, see R. Naz, “Précepte,” *Dictionnaire de Droit Canonique*, (Paris: Letouzey 1935-65), 7:116-17.

²⁶ See *De Controversiis* (Naples: Giuliano 1854), 1:413-18.

justly attacked by him. Therefore, even more so is it permitted for kings or a council to depose the pope if he disturbs the state, or if he tries to kill souls by his bad example.²⁷

This was the position of the Gallicans, who placed the authority of a general council above that of a pope.

It is absurd to claim that one sentence in Bellarmine's reply to *this* argument somehow justifies across-the-board "resistance" to the post-Vatican II errors.

The absurdity becomes all the more evident when you notice that immediately after this one sentence Bellarmine cites Cajetan's *De Comparatione* – all 184 octavo pages of which were written to refute the errors of Gallicanism and Conciliarism.

(C) Not Individual "Resistance." In context, furthermore, the quote from Bellarmine does not justify "resistance" to popes by *individuals* – as some traditionalists seem to think – but resistance by *kings* or *general councils*.

The Gallican position that Bellarmine refuted maintained that it is permitted "*for kings or a council*"²⁸ to depose a pope. Nothing about individual priests or laymen there.

Once again this meaning is clear from Cajetan's chapter 27. "Secular princes and the prelates of the Church,"²⁹ he says, have many ways available for arranging "resistance or an obstruction to an abuse of power."³⁰

It is therefore impossible to maintain that Bellarmine and Cajetan were addressing the issue of an *individual* Catholic resisting the pope.

(D) Bellarmine and a Heretical Pope. And finally, in the chapter that follows the famous quote (30), Bellarmine explicitly treats the question: "Whether a heretical pope can be deposed."³¹

²⁷ *op. cit.* 1:417.

²⁸ *licebit regibus vel concilio.*

²⁹ *principes mundi et praelati Ecclesiae.*

³⁰ *resistentiam, impedimentumque abusus potestatis*, 412.

³¹ *An papa hæreticus deponi possit.*

Bellarmino refutes answers given by various theologians, including Cajetan, who maintained that a heretical pope would need to be deposed. He bases his own answer on the following principle:

Heretics are outside the Church even before their excommunication, and, deprived of all jurisdiction, are condemned by their own judgement, as St. Paul teaches in Titus 3.³²

The saint concludes:

The fifth opinion therefore is the true one. A pope who is a manifest heretic automatically (*per se*) ceases to be pope and head, just as he ceases automatically to be a Christian and a member of the Church. Wherefore, he can be judged and punished by the Church. This is the teaching of all the ancient Fathers who teach that manifest heretics immediately lose all jurisdiction.

Bellarmino's writings, then, *support* rather than refute the principle behind the sedevacantist position: a heretical pope is self-deposing.

In sum: It is utterly indefensible to claim that the famous passage in Bellarmine "refutes sedvacantism," and at the same time justifies "resistance" to a true pope who somehow promulgates false doctrines and evil laws. Such a fanciful interpretation of Bellarmine is based on ignorance of both the meaning of the text and its context.

6. Papal Heresy; "Truth" of the Sacraments: *OBJECTION:* *Various popes have stated that a pope can teach heresy, and one even stated that "many popes were heretics." According to Bellarmine, moreover, a pope can even enact legislation "against the truth of the sacraments." In both cases, he remains a true pope.*

These two arguments against sedevacantism are less common than the five preceding ones, but they, too, are nevertheless false.

³² *op. cit.* 1:419.

(A) To support the first argument, Mr. Sparks offers quotes from Popes Pius IX, Adrian VI and Adrian II stating that a pope can teach heresy. The only citation he provides for this material, however, is to "Viollet, *Papal Infallibility and the Syllabus*, 1908."

Perhaps Mr. Sparks is unaware that, during the reign of St. Pius X, this work was placed on the Index of Forbidden Books.³³

(B) To support the second argument, Mr. Sparks assures us that "the famous theologian Juan Cardinal de Torquemada O.P. (+1468) quoted the great doctor of the papacy, St. Robert Bellarmine, telling us that a pope can '*command against (...) the truth of the sacraments.*'" (Original emphasis and ellipsis.)

Well, I doubt it. Torquemada died 74 years before Bellarmine was born.

* * * * *

To sum up the foregoing:

- 1) It is by his public sin against divine law, rather than a crime (*delictum*) against canon law, that a heretical pope loses his authority.
- 2) Pius XII's legislation for papal elections suspends impediments of ecclesiastical law only; it does not suspend the divine law, which excludes heretics from being validly appointed to the papal office.
- 3) The heresies of the post-Conciliar popes would in fact qualify as public and notorious according to the norms of canon law.
- 4) A heretical pope would lose his authority without the strict need for some legal declaration; should he continue to act as if he were pope, however, electors would need to declare the papal office legally vacant before they could proceed to a new election.

³³ Decree, 5 April 1906. See R. Naz, "Viollet, Paul-Marie," *Dict. Droit. Can.*, 7: 1511.

- 5) St. Robert Bellarmine's famous statement on "resistance" does not, as many traditionalists think, justify "resisting" Paul VI and his successors while simultaneously regarding them as true popes.

Traditionalist controversialists who have raised objections like the ones addressed above share the same fundamental assumption: that the Supreme Pontiff, while retaining authority from Jesus Christ Himself, can teach doctrinal errors (even for decades), impose evil laws and promulgate a sacrilegious rite of the Mass. He can endlessly spew spiritual poisons far and wide, which the individual Catholic is then left to "resist" as he sees fit.

Such a system renders papal authority meaningless and attacks the infallibility and indefectibility of the Church.

Sedevacantism, on the other hand, preserves the Catholic teaching on the authority of the pope and on indefectibility and infallibility of Christ's Church, because it treats the doctrinal errors and evil laws that proceeded from Paul VI and his successors as proof that these men did not in fact possess the authority of the Catholic Church.

For while a pope can indeed defect from the faith, the true Church by Christ's promise never can.

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BENEDICT XVI'S ECUMENICAL ONE-WORLD CHURCH

What Are We to Make of Ratzinger?

Preliminary Considerations

Rev. Anthony Cekada

Sermon, April 24, 2005

Benedict XVI is being portrayed by the media and hailed by *Novus Ordo* conservatives (and even some traditionalists) as a doctrinal hard-liner, opposed to moral relativism, who's going to crack down on abuses and get the Church back on a more "traditional" track.

He is intellectually brilliant, a convincing speaker and highly cultured – and even seems to favor certain traditional liturgical practices.

These impressions raise false hopes and lead to the type of fuzzy thinking that may well lure some unwary traditional Catholics into the clutches of the modernists' Ecumenical One-World Church.

The words of Benedict XVI on April 20, 2005, – his first day on the job – should dispel any illusions. In his first official address, Benedict declared his "firm and certain will" to continue implementing Vatican II, especially ecumenism, which he called "a fundamental cause he will do everything to promote." Later that day, he fired off a letter to the Chief Rabbi of Rome, promising "to continue the dialogue and strengthen the collaboration" with the Jews. At his April 24 "inauguration Mass" – formerly popes were crowned with a three-fold crown – Protestant heretics and Orthodox schismatics had places of honor next to (nominally) Catholic bishops.

Are traditional Catholics supposed to "wait and see" what this man stands for? Should they hold their breath and hope he'll allow more traditional Latin Masses – even as he's busily selling out our Catholic faith to heretics, schismatics and Jews?

Here are a few essential points, offered to clarify these issues:

1. Ratzinger the Modernist

The suit-and-tie-clad Joseph Ratzinger was one of the key modernist theologians at Vatican II – part of the heretical cabal that included Rahner, Küng, Schillebeeckx and Baum. Ratzinger and company were responsible for hijacking the Council and turning it into the engine of doctrinal, moral and liturgical revolution that would destroy the Church.

Later, as cardinal and head of the Vatican's Congregation for the Doctrine of the Faith under John Paul II, Ratzinger produced or approved numerous official doctrinal statements and declarations that contained either doctrinal error or actual heresies.

His Joint Declaration with the Lutherans sold out to Protestantism the Council of Trent's teaching on justification. In another case, Ratzinger approved as valid of a rite of Mass that did not even contain the words of Consecration.

2. Ratzinger's One-World Church Heresy

The largest category of the Ratzinger/JP2 heresies, however, repudiated the “oneness” of the Catholic Church that we profess each Sunday in the Creed – *Credo in unam ecclesiam*.

The Catholic teaching is this: The Church of Christ is the Roman Catholic Church, which is the unique means of salvation in the world. Any religion outside of the Roman Catholic Church, whether Greek Orthodox, Protestants, Jews, etc., despite whatever truths they may possess, or even valid sacraments, are false religions and are not means of salvation.

The Ratzinger/JP2 declarations envision instead a Church as “communion” – a type of ecumenical, one-world church to which Catholics, schismatics and heretics all belong, each possessing “elements” of Church of Christ, either “fully” (Catholics) or “partially” (heretics and schismatics). Having all the “elements” is best – but having just a few is pretty good too.

Membership in the Church of Christ then becomes something like the “Happy Meal” for children at McDonald's: The

Happy Meal is present in “fullness” to a child who has the food, drink and toy in the Ronald McDonald box. But you can just order the same burger, small fries and drink to give your child a “partial” Happy Meal, too. It’s still food and the “elements” of the meal are just as nourishing, even though your child doesn’t get the “fullness” of having the toy and the box.

The principal heresies Ratzinger has taught about the Church include the following:

1. Schismatic and/or heretical churches are part of the Church of Christ.
2. It is possible to be part of the Church of Christ without being subject to the Roman Pontiff.
3. In every valid celebration of the Eucharist, even by schismatics, the one, holy, Catholic and apostolic Church becomes present.
4. The Holy Ghost uses schismatic and/or heretical sects and means of salvation.

Bishop Donald Sanborn (of Most Holy Trinity Seminary) and Don Francesco Ricossa (of the Institute Mater Boni Consilli), almost alone among traditionalist writers, have picked up on and exposed in great detail Ratzinger’s heresies about the Church of Christ.

Ratzinger has professed and developed other heresies as well: that the nature of the Church “evolves,” that Catholics do not have the whole truth about God and must “dialogue” with others to find it, etc. etc. We are planning studies of these too.

3. Heresy Puts a Catholic Outside the Church

Joseph Ratzinger may indeed, like John Paul II, take a “Catholic” line on many doctrinal or disciplinary issues (contraception, abortion, Marian devotion, women priests, the Eucharist, or even allowing more traditional Latin Masses).

But for us, none of this should ultimately make any difference, because we're in this fight not just for the Mass, but for the faith.

And the Catholic faith is an all-or-nothing proposition. Just as one mortal sin destroys the life of grace in the soul, so one heresy puts you outside the Church.

Joseph Ratzinger is a heretic, elected by heretics who were themselves all appointed by a heretic.

All these men adhered to the heresies of the post-Vatican II establishment. Put 'em in a bag, shake 'em up, and they all come out the same.

So it matters not that alongside their heresies Benedict XVI and company also promote some Catholic doctrines or tolerate some forms of Catholic worship.

4. A Heretic Cannot Be a True Pope

Finally, a heretic cannot be validly elected pope. Pre-Vatican II canonists and theologians taught that this was a matter of divine law.

One pope even made legal provisions to deal with such a situation. In 1559 Pope Paul IV promulgated a law (*Cum ex Apostolatus Officio*) declaring the election of a heretic to the papal office to be "null, legally invalid and void." The possibility of a heretic being elected to the Throne of Peter, then, can hardly be called far-fetched; popes don't make laws for nothing.

The reasoning in both cases is this: Because public heresy puts a Catholic outside the Church, he then becomes incapable of commanding Catholics within the Church. In the case of a pope, he cannot become the head of the Mystical Body on earth if due to heresy he himself has ceased to a member of it.

* * * * *

Benedict XVI, in sum, is more of the same: More Vatican II, more ecumenism, more modernism, more heresy, more years of a false pope intruded onto Peter's Throne.

So don't be fooled if, at the same time he is busy selling out the Catholic faith to heretics and schismatics, Benedict XVI offers you a nice, reverent traditional Latin Mass to attend next to them in his ecumenical, One-World Church.

Our only answer must be the phrase of the Creed: "*credo in unam ecclesiam* – I believe in one Church of Christ" – not ecumenical, but Catholic.

That, and the Psalm recited at the Reconciliation of a Violated Church: *Exsurgat Deus et dissipentur inimici ejus* – let God arise, and let His enemies be scattered.

SEDEVACANTISM AND MR. FERRARA'S CARDBOARD POPE

Recognizing the Pope – But
“for Display Purposes Only”

Rev. Anthony Cekada

2005

A New Jersey lawyer and traditionalist, Christopher A. Ferrara, Esq., has recently produced an anti-sedevacantist tract entitled “Defending the Papacy: Opposing the Sedevacantist Enterprise.” It has been widely circulated by *Catholic Family News* and the Fatima Industry flagship publication, *The Fatima Crusader*.

Halfway through his article – the first of a promised series on sedevacantism – Mr. Ferrara remarks:

“In this time of ecclesial confusion, many Catholics do not recognize a theological absurdity when they see one.”

Well, I for one certainly do – and Mr. Ferrara’s article is *loaded* with them.

It’s a rich and heady stew of errors, half-truths and misrepresentations about theological terms (visibility), Vatican I’s teaching on the pope (perpetuity), canonical maxims (“The First See is judged by no one”), specialized canon law terms (manifest), church history (the cases of Popes Honorius and John XXII), papal bulls (Paul IV’s *Cum ex Apostolatus*), and much, much more.

Mr. Ferrara’s polemical method is thoroughly dishonest: He says that identifying sedevacantist “spokesmen” is “not relevant to the aim of this essay,” so he identifies neither the authors nor the articles he is attacking. (He quotes or paraphrases me a number of times.) His real aim, of course, is to prevent readers from looking up articles that he fears are too convincing.

His opening argument is a lengthy attack on his targets’ sanity. Sedevacantists adhere to a “patent absurdity.” They are sometimes “highly intelligent” but nevertheless exhibiting the “impenetrable self-enclosed reasoning of a madman.”

Translation: Ignore all evidence, folks.

In all this, Mr. Ferrara is very much like a truculent non-lawyer trying to argue a case in civil court. He slings around lingo he doesn't understand, repeatedly ignores the rules of evidence, and pulls as many dirty tricks as he can.

I can't fine Mr. Ferrara for contempt and clogging the system. But I can at least blow the whistle on a few of his major howlers.

But first, some prefatory remarks are in order.

The Cardboard Pope...

Mr. Ferrara advocates essentially the same position as the Society of St. Pius X, Fr. Nicholas Gruner, and countless others: You claim to "recognize" Paul VI, John Paul I, John Paul II and Benedict XVI as true popes. At the same time *YOU* decide which papal teachings, laws, sacramental rites, or commands are good, and which you'll reject, resist or publicly denounce.

Under this system, a pope no longer possesses the supreme authority to "bind and loose" on earth. A New Jersey lawyer, the Superior General of SSPX, the CEO of the Fatima Industry, the editor of *Catholic Family News*, or, generally, any traditional Catholic whatsoever, does the final review for him.

The New Mass? A sacrilege, intrinsically evil, or the pope didn't promulgate it correctly anyway. Ecumenism? No thanks, the pope's wrong. Consecration of Russia to the Immaculate Heart? The pope didn't do it right. Excommunicated or suspended? Invalid, no matter what the pope and his curia say. Consecrate bishops against the pope's explicit will? Necessity lets me do it. And so on.

Who needs to visit the Throne of Peter? You give the final thumbs-up or -down from your easy chair.

The pope speaks. *You* decide...

This system makes a mockery of the Catholic teaching that the pope possesses not only a "Primacy of honor" (framed photos in the vestibules of wildcat traditionalist cha-

pels, say) but also “supreme and full power of jurisdiction over the universal Church, both in matters of faith and morals, as well as in those things that pertain to the discipline and rule of the Church spread throughout the world,” a power that is “ordinary and immediate over each and every church, as well as over each and every pastor and member of the faithful, independent of any human authority.”¹

Mr. Ferrara wrote a book on the post-Vatican II mess entitled *The Great Façade*. No wonder. Mr. Ferrara’s system gives you a cardboard pope – “for display purposes only.”

... vs. Sedevacantism

Sedevacantism (from the Latin phrase *sede vacante*, denoting the interregnum between the death of one pope and the election of another) refers to the belief among some traditionalists that post-Vatican II popes are not true popes.

It begins with two points all traditionalists agree on: (1) The New Mass was evil and harmful to the Church, as was a great deal of the post-Vatican II legislation. (2) Many teachings of Vatican II and the post-Vatican hierarchy contradict previous Catholic teaching and are at least errors.

From here sedevacantism generally argues as follows:

1. The authority of the Church, because of Christ’s promise, cannot give evil laws or teach error.
2. It is therefore impossible that the evils and errors officially sanctioned by the post-Vatican II hierarchy could have proceeded from the authority of the Church.
3. Those who promulgated these evils and errors must somehow lack (have lacked) real authority in the Church.
4. Canonists and theologians teach that public or manifest defection from the faith, automatically brings with it loss of ecclesiastical office (authori-

¹ Vatican I, Dogmatic Constitution *De Ecclesia Christi*, DZ 1827; Canon 218.

ty). They apply this principle even to a pope, who in his personal capacity, becomes a heretic.

5. Two popes, Innocent III and Paul IV, explicitly mentioned the possibility that a heretic could end up on the throne of Peter. Paul IV even declared that such a pope's election would be invalid and that he would lack all authority.
6. Since the authority of the Church cannot defect (give evil or error), but a pope (or a bishop) as an individual can, the best explanation for the post-Vatican II evils (the new Mass) and errors (religious liberty, ecumenism, etc.) is that they proceeded (proceed) from individuals who, despite their occupation of the Vatican and various diocesan cathedrals did (do) not objectively possess canonical authority, having lost it through public defection from the faith.

I and others have repeatedly published pronouncements from pre-Vatican II theologians, canonists and popes – Badii, Bellarmine, Beste, Coronata, Dorsch, Herrmann, Iragui, Prümmer, Regatillo, Salaverri, Schultes, Van Noort, Vermeersch, Wernz-Vidal, Wilhelm, Zubizarreta, Pope Innocent III, Pope Paul IV, etc. – to support the principles enunciated above.²

That said, we turn to Mr. Ferrara's more glaring errors. In each case, I will try to sum up fairly his various objections to sedevacantism. I will then systematically refute these objections by quoting theologians, canonists, popes and canon law. I will also refute in passing some proofs he offers for the cardboard pope ("recognize-but-resist") position.

1. Patent absurdity: *Sedevacantism "can only be dismissed as patently absurd," because it assumes that most Catholics adhered for five decades to an imposter pope and episcopacy.*

² For this I refer readers to my short study *Traditionalists, Infallibility and the Pope* (vol. I, pp. 359-384).

This would “make a mockery” of the promise of Christ to his Church. (pp. 10-11, 9)

Mr. Ferrara’s opening argument is circular: Sedevacantism is absurd because it is absurd.

Maybe this works in a Jersey courtroom, but in the science of Catholic theology, you cite teachings of recognized authorities if you want to be taken seriously.

So, to Mr. Ferrara’s unproven assertion that it is “absurd” to believe that the overwhelming majority of Catholics might one day end up adhering to a false pope, we respond with the teaching of the theologian Father Sylvester Berry:

The prophecies of the Apocalypse show that Satan will imitate the Church of Christ to deceive mankind; he will set up a church of Satan in opposition to the Church of Christ. Antichrist will assume the role of Messiah; his prophet will act the part of Pope, and there will be imitations of the Sacraments of the Church. There will also be lying wonders in imitation of the miracles wrought in the Church. - -

There seems to be no reason why a false Church might not become universal, even more universal than the true one, at least for a time.³

An ecumenical Super-Church with a false pope? Imitation sacraments? Lying wonders? The faithful reduced to a remnant?

After four decades of the Vatican II disaster, how absurd does this sound?

2. Dead Church: *“Without the Pope at its head and bishops in communion with him, the visible Church would cease to exist, and Christ would have been made a liar.” (p. 9)*

Here Mr. Ferrara gives us nearly *word-for-word* the major premise of an argument made by heretics *against* the Primacy of the Pope. Like Mr. Ferrara, they contended that, if

³ *The Church of Christ*, 119, 155.

Catholic teaching on the Primacy were true, the Church would cease to exist during the vacancy of the Holy See.

The theologian Salaverri refuted their argument (and Mr. Ferrara's) as follows: Instead of being a "primary foundation - - without which the Church could not exist," the pope is a "secondary foundation," "ministerial," who exercises his power as someone else's (Christ's) representative.⁴

So, during the vacancy of the Holy See, despite what heretics and Mr. Ferrara have argued, the visible Church does indeed continue to exist.

3. Headless remnant: *The Church may well be "ultimately reduced to a very tiny remnant by the time that the Antichrist appears - - but that remnant will still have a Pope at its head - - Otherwise that remnant would not be the Church, but a headless and diffuse body of believers - - If there is no Peter, there is no Church."* (p. 9)

This is a variant of the preceding argument. Like it, it is false – contradicted this time by the theologian Dorsch:

The Church therefore is a society that is essentially monarchical. **But this does not prevent the Church, for a short time after the death of a pope, or even for many years, from remaining deprived of her head.** [*vel etiam per plures annos capite suo destituta manet*]. Her monarchical form also remains intact in this state. - -

Thus the Church is then indeed a headless body. - - Her monarchical form of government remains, though then in a different way – that is, it remains incomplete and to be completed. The ordering of the whole to submission to her Primate is present, even though actual submission is not - -

For this reason, the See of Rome is rightly said to remain after the person sitting in it has died – for the See of Rome consists essentially in the rights of the Primate.

These rights are an essential and necessary element of the Church. With them, moreover, the Primacy then continues, at least morally. **The perennial physical presence of the person of**

⁴ *De Ecclesia* 1:448.

the head, however, [*perennitas autem physica personis principis*] is not so strictly necessary.”⁵

So once again, Mr. Ferrara is dead wrong. Catholic theology teaches that the See of Peter can indeed be vacant *for many years*; all the while, the nature of the Church still remains unchanged.

4. Perpetual successors: “*Sedevacantists are flirting with the Vatican I anathema, which condemns and excludes from the Church anyone who would call into question the perpetual succession of the papacy as the visible foundation of the entire Church.*” (p. 10)

Mr. Ferrara, like many other anti-sedevacantist controversialists, stumbled across Vatican I’s statement that by divine right St. Peter has “perpetual successors” in the Primacy.⁶ This he (and others) took to mean that, except for the brief period between the death of a pope and the next conclave, Christ promised and the Church taught that you’d always (perpetually) have a real, live pope on Peter’s throne.

Conclusion: good-bye, sedevacantism!

It is hard to imagine a more concentrated dose of pure theological ignorance.

Vatican I’s definition was directed against heretics who contended that (1) the Primacy was an extraordinary power Christ gave to St. Peter *alone*, (2) Christ did not intend it to be passed along in perpetuity to his successors, (3) this power either died with Peter, or was passed along to the Church or episcopal college.⁷

What does the definition itself mean? That:

a primacy of true jurisdiction, together with a full scope of rights and duties would continue in the Church, and this in virtue of the will of Christ or by divine law.⁸

⁵ *De Ecclesia* 2:196-7.

⁶ DZ 1825: “*perpetuos successores.*”

⁷ Dorsch, *de Ecclesia*, 2:191-2.

⁸ Dorsch 2:191.

The dogmatic theologian Salaverri devotes 23 dense pages to this passage in Vatican I, nearly all of it directed at proving that Christ intended the office of the Primacy to be *perennis* – not limited to Peter, but rather “a power which will perpetually endure to the end of the world.”⁹

Mr. Ferrara, then, has confused two things: (1) the perpetuity of the papacy as a perpetual *institution* whose rights and duties continue forever, and (2) always having a live pope to fill it.

5. First see judged by no one: *“Prima Sedes a nemine iudicatur – no one may judge the First See - - That no one may judge the Pope – that is, his personal sin of heresy as opposed to the heretical import of his words – is a fundamental truth of our religion - -”* (p. 13.)

(A) **Context:** Any first-year canon law student knows that it says no such thing.

The maxim “the First See is judged by no one” is incorporated into the Code of Canon Law as canon 1556.

The canon appears in Book IV (Ecclesiastical Trials), Part I (Trials), Section 1 (Trials in General), Title 1 (The Competent Forum), which prescribes which ecclesiastical courts have jurisdiction to try which types of cases.

While it is true that the pope has the final say on doctrinal and disciplinary matters in the Church – except in the system Mr. Ferrara and SSPX propose, where *they* do – the maxim itself merely means that there is no ecclesiastical tribunal before which one could summon the pope or to which one could appeal the pope’s final judicial decision.

Here is an explanation from a standard canon law manual:

Immunity of the Roman Pontiff. “The First See is judged by no one.” (Canon 1556). This concerns the Apostolic See or the Roman Pontiff who by the divine law itself enjoys full and absolute immunity.¹⁰

⁹ *de Ecclesia*, 1:385.

¹⁰ Cappello, *Summa Juris Canonici* 3:19.

The judicial immunity of the pope was disputed in church history by partisans of Gallicanism and Conciliarism, who also maintained that a pope's decisions could be appealed to a general council.

The maxim "the First See is judged by no one" is a *procedural* norm, then.

(B) **Sources:** One of the canonical sources for the maxim, the *Decree* of Gratian (ca. 1150), reads as follows:

Whose sins [the pope's] no mortal man presumes to rebuke, for he shall judge all and is to be judged by no one, unless he is suddenly caught deviating from the faith [*nisi deprehendatur a fide devius*].¹¹

If anything, one can conclude from this the very *opposite* of what Mr. Ferrara maintains: defection from the faith is the *one sin* of a pope we are *permitted* to judge.

(C) **Papal Teaching:** In two of his coronation sermons, Pope Innocent III (1198-1216) – considered one of the greatest canonists of his time – explained how a pope who falls into the sin of heresy is "judged."

"Without faith it is impossible to please God." - - And so the faith of the Apostolic See never failed, even in the most trying circumstances [*turbatione*], but always continued intact and undiminished, so that the privilege of Peter remained constant and unshaken. To this end faith is so necessary for me that, though I have for other sins God alone as my judge, *it is alone for a sin committed against faith that I may be judged by the Church.* [*propter solum peccatum quod in fide committitur possem ab Ecclesia judicari.*] For "he who does not believe is already judged."¹²

You are the salt of the earth - - Still less can the Roman Pontiff boast, for he can be judged by men – or rather *he can be shown to be judged, if he manifestly "loses his savor" in heresy.* [*quia potest ab hominibus judicari, vel potius judicatus ostendi, si vide-*

¹¹ *Decree*, I, dist. 60, ch. 6.

¹² *Sermo 2: In Consecratione*, PL 218:656.

licet evanescit in hæresim.] For he who does not believe is already judged.¹³

A pope who commits the sin of heresy, then, can indeed be “shown to be judged.”

(D) **Finally:** Mr. Ferrara, who are you trying to kid?

If the publications you write for actually applied the maxim “The First See is judged by no one” to themselves, they’d be sending their entire editorial content out each month on a postcard.

6. “Manifest” heresy: *When the term “manifest” is applied to heresy, this means “the denial of an article of divine and Catholic faith, such as the Trinity, not just any error against the teaching of the Church.” (p. 13)*

Like the non-lawyer arguing his own case, Mr. Ferrara has the technical lingo all messed up.

“Manifest,” as applied to heresy in canon law, however, does not refer to *what* truths a heretic denies (Trinity, transubstantiation, etc.), but rather to *how openly* he denies them.

A heresy becomes manifest (or notorious), when its existence is “established in a public way” (*constat modo publico*).

This occurs, for instance, when the existence of the heretical statement:

is established through authentic public documents - - because such documents of their nature are open to inspection by many people, and therefore necessarily bring with them public notice.¹⁴

The authentic public digest for all the documents of the Holy See is the *Acta Apostolicæ Sedis*. (See canon 9.) Publishing heretical decrees, pronouncements and encyclicals in the *Acta* – as JP2 and company did – would therefore render heresy “manifest” or “notorious.”

¹³ *Sermo 4: In Consecratione*, PL 218:670.

¹⁴ Michels, *De Delictis et Pœnis*, 1:140.

“Manifest,” again, refers to the *how*, not the *what*, of heresy.

7. No real heresies: *Sedevacantists have failed to identify any true heresies “among the many ambiguous pronouncements and disturbing (even scandalous) actions of John Paul II or Paul VI.” (p. 15)*

For openers, I suggest the following:

(A) **Justification:** The October 31, 1999 Joint Declaration on Justification, approved by Ratzinger and John Paul II.

This overthrows the solemn dogmatic definitions of the Council of Trent concerning justification.

(B) **The Church:** The Declaration on Communion, the Ecumenical Directory and the Declaration *Dominus Jesus*, written by Ratzinger and approved by John Paul II.

These documents promote the “Subsistent Superchurch” heresy, which, among other things, denies an article of the Creed (“I believe in *one* Church”), as well as the proposition “outside the Church there is no salvation.”

(C) **Notes:** The former is “an article of the divine and Catholic faith,” the latter a “dogma of the faith.”¹⁵

Bishop Donald Sanborn has written several lengthy articles exposing these heresies.

8. Koran kissing: *“The latter did not amount to formal heresy, as the kissing of the Koran was not the pertinacious denial of an article of divine and Catholic faith.” (p. 15)*

Oh really? Canonists and theologians teach that external heresy consists in *dictis vel factis* – not only in words, but also in “signs, deeds, and the omission of deeds.”¹⁶

9. Council for a heretic Pope: *“A general council could assemble to verify the statement or statements allegedly uttered by the Pope,” who would “be given the opportunity to ex-*

¹⁵ Salaverri 1:1095, 1153.

¹⁶ Merkelbach, *Summa Theologiæ Moralis*, 1:746.

plain his words or retract them.” The council could declare “that the Pope, by his own act, had excluded himself from the Church, thereby ceasing to be pope.” (p. 14)

Mr. Ferrara claims this scenario of a pope summoned before a council, asked to defend himself, and then declared fallen from office is an “accepted theological view.” Accepted by whom?

He mentions St. Alphonsus Liguori – but he provides no citations one can use to verify his claim.

Mr. Ferrara also says – again without citations – that this view was “taught by St. Anthony of Florence.”

I can find *no* theologian by that name in the 33-volume *Dictionnaire de Théologie Catholique*.¹⁷ Does Mr. Ferrara mean the Dominican theologian Anthony of *Siena*, which is not far from Florence? Or did St. Anthony of *Padua* say something about this? Or maybe St. *Antoninus*, who was Archbishop of Florence? Who knows?

This is the sort of half-baked “evidence” that opposing counsel moves to strike, and the judge instructs the jury to disregard.

Wherever he got it, the elaborate council/trial/defense/declaration rigmarole Mr. Ferrara describes is absent from the writing of later canonists and theologians who treated the question of a heretical pope.

Nearly all resolved it the same way: The Roman Pontiff “would, by divine law, fall from office without any sentence, indeed, *without even a declaratory one*.”¹⁸

10. Due process, guilt, pertinacity: *“Absent a procedure to investigate the papal statement and the surrounding circumstances, including direct questions of the Pope himself with an opportunity to retract, it would be impossible to judge the matter fully and fairly. - - Who would afford the pope this due process?” (p. 14)*

¹⁷ See *Tables Générales* 1:184-187.

¹⁸ Coronata, *Institutiones Iuris Canonici*, 1:316.

But assume for the sake of argument that a papal trial *were* permissible. Assume further that Christopher A. Ferrara Esq. were the heretical pope's chief defense counsel, the head of his legal "dream team."

Before he got to his stirring final summation to the cardinal jury ("If *anathema* don't *sit*, you must acquit"?), what ground rules would Mr. Ferrara have to follow?

(A) **General Presumption:** Would canon law in general consider Mr. Ferrara's client innocent until proven guilty?

No. Canon 2200.1 lays down the general principle:

When an external violation of the law occurs, in the external forum the existence of malice (*dolus*) is presumed until the contrary is proved.

The reason such presumptions exist in the law, says the canonist Michels, is that:

in the external forum one acts based on the way things ordinarily happen and externally appear. And indeed ordinarily, each person of sound mind customarily acts reasonably and freely, fully knowing and deliberately willing whatever he really does.¹⁹

(B) **Heresy and Burden of Proof:** In the case of heresy, though, wouldn't canon law at least require the prosecutor to prove that Mr. Ferrara's client was "pertinacious" or "obstinate" in the alleged heresy? No again:

The very commission of any act which signifies heresy, e.g., the statement of some doctrine contrary or contradictory to a revealed and defined dogma, gives sufficient ground for juridical presumption of heretical depravity - - [E]xcusing circumstances have to be proved in the external forum, and *the burden of proof is on the person whose action has given rise to the imputation of heresy. In the absence of such proof, all such excuses are presumed not to exist.*²⁰

Mr. Ferrara, then, would have to rebut the presumption that his client is a heretic.

¹⁹ *De Delictis*, 1:134.

²⁰ McKenzie, *The Delict of Heresy*, 35.

(C) **Excusing Causes:** Mr. Ferrara is arguing that his client's heresy, if any, would not be "manifest." How could he prove that?

Mr. Ferrara could argue one of seven causes that would excuse his client from moral culpability for the alleged offense, and hence from "manifest" or "notorious" heresy.²¹ They are:

- 1) lack of reason (I was crazy).
- 2) habitual inculpable ignorance (I was stupid).
- 3) actual inculpable inadvertence or error (I was day-dreaming).
- 4) involuntary intoxication (Those German Lutherans forced the beer down my throat).
- 5) physical force (I was strong-armed).
- 6) uncontrollable passion preceding an act of the will (I got really mad).
- 7) legitimate self-defense (I ducked down over that Koran because the imam took a swing at me).

Of the seven, I would advise Mr. Ferrara against choosing ignorance as an excuse. His client is a cleric who holds several doctorates in theology:

*If the delinquent making this claim be a cleric, his plea for mitigation must be dismissed, either as untrue, or else as indicating ignorance which is affected, or at least crass and supine - - His ecclesiastical training in the seminary, with its moral and dogmatic theology, its ecclesiastical history, not to mention its canon law, all insure that the Church's attitude towards heresy was imparted to him.*²²

You have six excusing causes left, Mr. Ferrara. Which do you plead, counselor?

11. John XXII, Honorius I: *Both these popes "were accused of heresy." Despite this, they never ceased to be regarded by*

²¹ See canon 2199ff.

²² McDevitt, 48. My emphasis.

the Church as popes. These examples “show us the Catholic way to address a pope who is in error or takes some action that threatens the common good of the Church.” One may “resist him.” (p. 15, 49-50)

At this point in his article, Mr. Ferrara begins to introduce arguments supporting the cardboard pope theory as the “Catholic” alternative to sedevacantism.

He begins with Popes John XXII and Honorius I.

(A) **Unsavory Company:** Citing these cases to justify “resistance” to the Roman Pontiff puts Mr. Ferrara in some very unsavory company.

Opponents of papal authority – Protestants, Eastern schismatics, Conciliarists, Gallicans, the anti-infallibilists at Vatican I, etc. – routinely pointed to John XXII and Honorius to shore up attacks against Catholic teaching.

(B) **Inadequate Sources:** As the sources for his account and explanation of both cases, Mr. Ferrara cites only popular vernacular histories (John, Jedin, Carroll) and an article on Honorius in the *Catholic Encyclopedia*.

Such sources have their place. But you can’t put much stock in them if you’re trying to make a serious argument about what ultimately boils down to a question of dogmatic theology. You have to consult and cite the lengthy dogmatic treatises on the papacy written by major academic theologians.

So on the grounds of his sources alone, we can dismiss Mr. Ferrara’s comments on John XXII and Honorius as lightweight pop polemics.

(C) **Missing Elements:** Mr. Ferrara’s analogy between these cases and that of the post-Conciliar popes fails on several points anyway, because in both, one or several of the elements required for a heretical pope to lose office were missing.

(1) *John XXII (1316-1334)* preached a series of sermons in Avignon, France in which he taught that the souls of the blessed departed do not see God until after the Last Judgment.

Mr. Ferrara's analogy to the situation of the post-Conciliar popes does not hold here because:

(a) The doctrine on the Beatific Vision had not yet been defined, so a denial of it would not constitute heresy.

(b) The pope, who had been a theologian before his election, proposed his teaching only as a "private doctor who expressed an opinion, *hanc opinionem*, and who, while seeking to prove it, recognized that it was open to debate."²³

In the pope's second sermon, moreover, he said the following:

I say with Augustine that, if I am deceived on this point, let someone who knows better correct me. For me it does not seem otherwise, unless the Church would so declare with a contrary statement [*nisi ostenderetur determinatio ecclesia contraria*] or unless authorities on sacred scripture would express it more clearly than what I have said above.²⁴

Such statements excluded the element of "pertinacity" proper to heresy.

(2) *Honorius I* (625-638) wrote several letters relating to the Monothelite heresy (=Christ had only one will, the divine), for which he was later accused, variously, of being a heretic himself or being soft on heresy.

The ins and outs of this complex case need not detain us, except to mention the following fact: The disputed formulas came to light only *after* Honorius died.

According to the theologian Hurter, it is certain that:

the letters of Honorius were unknown [*ignotæ*] until the death of the Pontiff and [the Patriarch] Sergius.²⁵

Hence, even if heretical, Honorius' statements could not have constituted the "public" heresy required for a pope to lose office.

²³ Le Bachelet, "Benoit XII," in *Dictionnaire de Théologie Catholique*, 2:662.

²⁴ Le Bachelet, DTC 2:262.

²⁵ *Medulla Theologiæ Dogmaticæ*, 360.

(D) **Failed Analogies:** To sum up, Mr. Ferrara's attempt to refute sedevacantism with an analogy to the cases of John XXII and Honorius fails because:

- 1) The doctrines denied by the post-Conciliar popes *have* been defined.
- 2) The post-Conciliar popes were not proposing their teachings as mere opinion for theological debate.
- 3) The teachings of the post-Conciliar popes were not "unknown" until after their deaths, but were published in encyclicals, decrees, instructions, speeches and discourses transmitted throughout the entire world during their lifetimes.

12. Resist a wayward pope: *St. Thomas, St. Robert Bellarmine and the "pious and eminent" Francisco Suarez teach that one may "resist" a "wayward pope." (p. 50-1)*

Here Mr. Ferrara reprints and interprets for us three quotes from a larger group first published in 1970 in Portuguese by the Brazilian traditionalist Arnaldo Xavier da Silveira.

They are part of Mr. Ferrara's "direct case" – that is, the system he proposes instead of sedevacantism.

These endlessly recycled quotes are favorites in SSPX/CFN "recognize-but-resist" circles, and they pop up all over the place. This allows all sorts of unlikely types to offer assurances about, say, Suarez' teachings, eminence and piety – all without the inconvenience of slogging through about 21,000 pages of his Latin in *really* small type.

I will devote more time to this material at a later date. In the meantime, here are a few brief comments:

(A) **St. Thomas Aquinas:** Mr. Ferrara quotes St. Thomas' justification for fraternal correction of superiors in general, especially when they say something that endangers the faith.²⁶

From this standard nugget of spiritual wisdom, Mr. Ferrara, SSPX and countless others have drawn several rather

²⁶ *Summa*, II-II.33.4.

generous practical conclusions about what the Angelic Doctor is supposedly endorsing:

(1) Catholics are free to decide for themselves on a case-by-case basis which teachings, laws, sacramental rites and commands emanating from the Roman Pontiff they will accept (very few, thank you) and which they will “resist” and publicly denounce (just about everything).

(2) Catholics are free to pursue this “resistance” to the Successor of Peter on a continuous basis – so far, forty years and counting, with no end in sight.

(3) Moreover, “implicit in St. Thomas’ teaching,” says Mr. Ferrara, “is that the pope who commits ‘scandal concerning the faith’ remains the pope, though he may be rebuked and corrected.”

“Implicit” indeed! So implicit that one cannot find it at all...

(B) **St. Robert Bellarmine:** Not long ago, I published an analysis of the Bellarmine “resistance” quote, and based my conclusions upon its context in *De Romano Pontifice* and upon Cardinal Cajetan’s *De Comparatione Auctoritatis Papæ et Concilii*, which Bellarmine cited to support his position.²⁷

Among other things, I demonstrated that Bellarmine was talking about resisting a pope who gives morally evil *commands* – not one who, like the post-Vatican II popes, teaches doctrinal *error* or imposes evil *laws*. In his next chapter, the Saint taught that a heretical pope automatically loses his authority.

Mr. Ferrara’s “answer” to this is that “nowhere does Bellarmine teach that ‘kings or councils,’ much less isolated members of the Church, can judge a pope guilty of heresy.” (p. 51)

Nowhere? Has Mr. Ferrara based this confident assertion on a careful reading of Bellarmine’s entire *Opera Omnia* in the 8-volume 1861 Neapolitan quarto edition?

Would he care to demonstrate, based on that edition and a comparison with Cajetan’s *de Comparatione*, where my

²⁷ See pp. 181-186.

analysis of the quote in question was in error?

Mr. Ferrara?

In the meantime, I will deem that he has conceded my conclusion about the quote.

(C) **Francisco Suarez.** Mr. Ferrara quotes a passage from Suarez stating that a pope who would “overturn all the rites of the Church founded on apostolic tradition” – think Paul VI, of course – would become a “schismatic.” (p. 51-2)

Mr. Ferrara takes consolation in Suarez’ opinion that a schismatic pope would retain his office, and uses this to shore up the “resistance” argument.

But Suarez, who tended to lose most controversies with other Catholic theologians, was the *only* theologian who held that position. The rest all taught that a schismatic pope loses the pontificate automatically because heresy and schism both represented “defection from the faith.”

Mr. Ferrara also provides us with a “nowhere does Suarez teach...” argument.

Again, *nowhere*, Mr. Ferrara? Will we be swearing you in as an expert witness to testify that you have (a) read the entire 30-volume 1858 Paris edition of Suarez’ *Opera Omnia*, and (b) based your prior factual claim thereupon?

Finally, Mr. Ferrara quotes Suarez as stating:

If [the Pope] - - gives an order contrary to right customs, he should not be obeyed; if he attempts to do something manifestly opposed to justice and the common good, it will be lawful to resist him.

In this quote too, Mr. Ferrara, like many other traditionalist writers, sees a grand charter for global “resistance” to the post-Conciliar popes’ laws, doctrines, etc.

However, the translation into English is faulty: It mis-translates *bonos mores* as “right customs,” implying, perhaps, justification for resisting changes a pope legislates in liturgical traditions, etc. In fact the phrase really means “good morals.”²⁸

²⁸ See Suarez, *Opera Omnia*, 12:321: “Si enim aliquid statuat contra bonos mores, non erit illi parendum.”

So once again, Suarez, like Bellarmine, is saying nothing more than this: if a pope gives you a command to do something contrary to the moral law, you don't have to obey – something like, “I'm *ordering* you this time, Monsignor: Bring me a blonde chorus girl, and if the piano player complains, shoot him between the eyes...”

13. Paul IV & “resistance”: *The 1559 Bull Cum ex Apostolatus Officio supports the “resistance” theory, because Paul IV said that “[The Pope] who may judge all and be judged by none in this world, may nonetheless be contradicted if he be found to have deviated from the Faith.” A pope remains pope even if he deviates from the faith. In this case, one may contradict him. (p. 52)*

This assertion is ridiculous.

In para. 1 of the Bull, the verb in the Latin phrase *si deprehendatur a fide devius* connotes not just a pope who is “found” to have deviated from the faith, but one who is “caught” – as in “caught red-handed” in a crime.

Then there is the verb *redargui* – rebuke. What “rebuke” did Paul IV envision for a pope caught this way? Not, as Mr. Ferrara might have us think, forty years of open letters/we-contradict-you-to-your-face articles written by laymen for some Counter-Reformation equivalent of *The Angelus*, *Fatima Crusader* or *Catholic Family News*.

Rather, Paul IV promulgated the Bull to automatically deprive or bar from office those who had defected from the faith, whether secretly or openly.

In particular, he wished to bar from the papacy in the next conclave Giovanni Cardinal Morone (1509-1580), whom he suspected of being a secret Protestant heretic, and whom he even imprisoned in the Castel Sant'Angelo.

So, the Bull fills nearly 10 double-columns in one edition of the *Bullarium Romanum* with line after line of blood-curdling language automatically depriving of ecclesiastical office not just those actually convicted of heresy, but even those simply *caught (deprehensi)* deviating from the faith (*a*

fide deviasse).

Then in para. 6, we get to the punch line of Paul IV's rebuke for the secret heretic who has been caught red-handed: Paul IV explicitly decrees invalid and null the election of a Roman Pontiff "who has beforehand deviated from the Catholic faith [*a fide Catholica deviasse*] or fallen into any heresy," and this "without the need to make any further declaration" [*absque aliqua desuper facienda declaratione*].

Note again: *without the need to make any further declaration*. No trial, no dream team, no Court Channel interviews.

Invalidity of election and automatic loss of office – not "contradiction" in the popular press from the likes of Mr. Ferrara – was the rebuke Paul IV prescribed for a pope who had "deviated from the faith."

Should Mr. Ferrara, by the way, continue to advocate Suarez' superseded opinion that a *schismatic* pope does not lose office, I call his attention to the following: A footnote in the *Bullarium* quotes another edition of the Bull that, after deviation from the faith and heresy, also specifically applies all its provisions to those "who have incurred, stirred up, or committed schism" [*seu schisma incurrisse vel excitasse aut commisisse*].

And finally, it was for planning to sell out to the Lutherans on the doctrine of justification that Paul IV barred Morone from papal office as a heretic and threw him in jail.²⁹

This, of course, is exactly what the heretics Ratzinger and John Paul II did in 1999: sold out the Catholic teaching on justification to the Lutherans.

* * * * *

At this point we have gotten through two-thirds of the first installment of Mr. Ferrara's article and disposed of any substantive issues he tried to raise.

The rest of his article is nothing more than the type of argumentation that my lawyer-friends call "pounding the table": guilt by association (Palmar de Troya), creating the

²⁹ See Francesco Ricossa, "L'hérésie aux Sommets de l'Église," 50-1.

specter of a conspiracy (the sedevacantist “Enterprise” – though Mr. Ferrara has been the one “exploring strange new worlds”), special pleading (SSPX’s “state of necessity”), inadmissible evidence (secret Vatican assurances), circular arguments from authority (the opinion of Ratzinger – who declared that a Mass *without the words of consecration* was valid³⁰ – taken seriously regarding Holy Orders conferred by Abp. Thuc), pompous generalizations (conclaves are “logical outgrowths”), etc. etc. – and the whole production backed up by non-existent to dodgy sourcing at about the level of a high school religion paper.

Mr. Ferrara, accustomed to flattering his juries during summations, closes with a final appeal to the crowd: For those, he says, who “are reasonably well-informed about the Faith, however, refutation is a simple matter.”

That’s for sure: Mr. Ferrara’s circular argument on sedevacantism as an “absurdity” is refuted by the theologian Berry. His pronouncement on visibility shot down by Salaverri. His “headless/diffuse body” statement on the length of the vacancy buried by Dorsch. The “perpetual successors” argument rendered unsuccessful by Dorsch and Salaverri. His misrepresentation of canon 1556 corrected by the Code, Cappello, Gratian and Pope Innocent III. His misuse of “manifest” exposed by Michels. JP2’s Koran-kissing re-criminalized for him by Merkelbach. “Due process” fallacies refuted by Michels, McKenzie, the Code, and McDevitt. Faulty analogies about John XXII and Honorius I demolished by Le Bachlet and Hurter. Myths about “resistance” texts duly toppled by the Latin originals.

Refutation by the “reasonably well-informed” has been very simple indeed...

So when Mr. Ferrara publishes the next installment of his attack on sedevacantism, filled with more confidently stated assertions and aggressively formulated arguments about theology, church history and canon law, just remember the one great truth we have demonstrated here:

³⁰ See Most Rev. Donald J. Sanborn: *O Sacrament Unholy* (2002).

Christopher Ferrara is a windbag. He has no idea what he's talking about.

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RESISTING THE POPE, SEDEVACANTISM AND FRANKENCHURCH

A Short Case for Sedevacantism

Rev. Anthony Cekada

The Remnant, November 2005

Introduction: *In September-November 2005 the U.S. traditionalist periodical "The Remnant" published a five-part critique of sedevacantism by Christopher A. Ferrara entitled "A Challenge to the Sedevacantist Enterprise."*

*Mr. Ferrara, a lawyer by profession, was long on aggressive rhetoric, but short on citing theological works to back up his claims – though checking out his sparse references didn't inspire much confidence either.*¹

Mr. Ferrara argued, moreover, that the New Mass (Novus Ordo Missæ) is not evil² and that Vatican II taught no false doctrines.³ The average traditionalist, of course, believes just the opposite.

Since Mr. Ferrara had explicitly criticized many of my own writings, the Editor of "The Remnant," Michael Matt,

¹ In his 30 Sept. 2005 installment, for instance, Mr. Ferrara cites Salaverri, *Sacrae Theologiæ Summa*, BAC Vol. I, p. 698, for a quote to support his contention that a council must declare a pope to be a heretic. I checked the 1955 and 1962 editions, but could not verify the quote. In the same installment, Mr. Ferrara claims (p. 18) that "the 1917 and 1983 codes of canon law provide that no one may insist that an ecclesiastical office has been lost due to heresy unless this has been established by a competent authority." Here Mr. Ferrara cites the 1983 Code, Can. 194, §§1, 2. But consulting the "Table of Corresponding Canons," in James A. Corriden, ed., *The Code of Canon Law: A Text and Commentary* (New York: Paulist 1985), 1049, reveals that paragraph 2 (which requires a declaration from competent authority) had no corresponding equivalent in the 1917 Code. Canon 188, in fact, provided that the loss of office following public defection from the faith occurred "automatically and *without* any declaration."

² *Remnant* (15 Nov 2005): "The New Mass, as promulgated in its Latin typical edition, is not *per se* 'evil' universal legislation."

³ In P. Vere, "Sedevacantists at the Gates?" *Wanderer* (6 Oct 2005), 6, Mr. Ferrara states: "Vatican II presented no *new* doctrine [so] it could hardly have presented *false* doctrine. What traditionalists really oppose is not doctrine as such, but ambiguities capable of heterodox interpretation - - In short, traditionalists oppose non-doctrinal novelties *masquerading* as doctrine." This is a new insight: Vatican II as Doctrinal Masquerade Party. My guess is that Ratzinger came dressed as Dr. Frankenstein. (See below.)

graciously invited me to write a response. Because the editorial position of "The Remnant" has generally been anti-sedevacantist, however, Mr. Matt asked me to try to limit my response to 3000 words – a condition I regarded as entirely understandable.

I decided to take the opportunity to present to "Remnant" readers a short, affirmative case for sedevacantism. In the version of the article that appears below, I have removed references to my debate with Mr. Ferrara in order to give it a broader appeal, moved some material from the footnotes to the main text, and added a few explanatory phrases.

Traditionalists (apart from Indult types) usually agree on two general points:

- 1) The New Mass (as well as much post-Vatican II legislation) is evil and harmful to the faith.
- 2) The teachings of Vatican II and the post-Vatican II hierarchy (on ecumenism, religious liberty, collegiality, the Church, etc.) often contradict pre-Vatican II teachings, and at least fall under the heading of "doctrinal error" – a general term for "all doctrine at variance with the truths of the faith."⁴

Where we differ is on how to reconcile (a) rejecting these evils and errors, with (b) pre-Vatican II teaching on papal authority and the indefectibility of the Church.

On one hand, the Society of St. Pius X (SSPX), together with *The Remnant*, *Catholic Family News* and many others, maintain that Catholics may "recognize" a pope and simultaneously "resist" his bad laws and doctrinal errors. There is no convenient label for this position, so here I will call it "R&R," as in "recognize-and-resist."

Sedevacantists, on the other hand, maintain that these evil laws and doctrinal errors indicate that the post-Vatican

⁴ E. Valton, "Erreur Doctrinale," in *Dictionnaire de Théologie Catholique* (Paris: Letouzey 1913) 5:446. The expression covers every erroneous teaching from "dangerous" to "heresy."

II popes at some point lost their authority by becoming heretics, and hence were not true popes at all.⁵

These issues are widely and heatedly debated among traditionalists. But the principles of dogmatic theology and canon law are the only legitimate standards for assessing and choosing between the two conflicting positions.

Using these criteria, I will make a very brief and (I hope) easily understood case for sedevacantism. I will examine two issues:

- I. How the infallibility of the Church in her universal laws and universal ordinary magisterium renders R&R untenable.
- II. Heresy in general, and the heresy of the post-Conciliar popes concerning the unity of the Church in particular.

I. Recognize and Resist?

In my experience, the average layman who adheres to R&R does so based on the notion that Catholics are really bound only by “ex cathedra” pronouncements, that neither the New Mass nor the Vatican II errors fall under this heading, and that Catholics are therefore free to reject and denounce these things as non-Catholic, as well as to “resist” the various popes who promulgated them.

R&R apologists have offered more refined variations of the foregoing, but their arguments fail for the following reasons:

A. The authority of the Church cannot promulgate an evil rite of Mass.

As I have demonstrated elsewhere,⁶ Catholic theologians teach that the Church’s infallibility extends to universal

⁵ On this point – the absence of authority on the part of the post-Vatican II popes – there is no difference between garden-variety sedevacantists (yours truly) and those who adhere to Mgr. Guérard des Lauriers’ Thesis of Cassiciacum.

⁶ *Traditionalists, Infallibility and the Pope* (vol. I, pp. 359-384).

disciplinary laws – she “can never sanction a universal law which would be at odds with faith or morality or would be by its very nature conducive to the injury of souls.”⁷

Based on the following anathema of the Council of Trent, moreover, theologians explicitly extend this infallibility to the Church’s laws governing the celebration of Mass:

If anyone says that the ceremonies, vestments and outward signs, which the Catholic Church uses in the celebration of Masses, are incentives to impiety rather than the service of piety: let him be anathema.⁸

But, as every traditionalist knows, Paul VI’s New Mass (even in Latin) is one big fat *irritabulum impietatis* – “incentive to impiety.”

You cannot reconcile the evil of this Mass with the notion that the man who promulgated it was a true pope, possessing supreme legislative authority from Jesus Christ.⁹

B. Catholics must adhere to the teachings of the universal ordinary magisterium (pope and bishops together) and to the Holy See’s doctrinal decisions.

In the *Syllabus of Errors* Pius IX condemned the proposition that Catholics are obliged to believe only those things proposed by the Church’s infallible judgment as dogmas of the faith.¹⁰ Catholics must also adhere to:

⁷ G. Van Noort, *Dogmatic Theology* (Westminster MD: Newman 1959) 2:91. See *Traditionalists, Infallibility and the Pope* for similar quotes from the theologians Herrmann, Dorsch, Schultes, Zubizarreta, Iragui and Salaverri. (Vol I, pp. 377-381).

⁸ *Canons on the Mass* (17 September 1562), DZ 954.

⁹ This is not to say that some haven’t tried. Several years ago in *The Remnant* (April-August 1997, *passim*) SSPX argued that the New Mass was *evil* but *invalidly* promulgated, while Michael Davies argued that it was *validly* promulgated, but *not evil*. Both were whistling past the sedevacantist graveyard. I subsequently demonstrated that the promulgation of the *Novus Ordo* followed all the canonically required forms and procedures for a universal law. See “Did Paul VI Illegally Promulgate the New Mass: Canon Law and a Popular Traditionalist Myth” (pp. 5-29) If invited, I would gladly return to *The Remnant* to argue the proposition that the New Mass (even in Latin) is evil.

¹⁰ See Encyclical *Quanta Cura* and *Syllabus of Errors* (1864), DZ 1699, 1722.

(1) Teachings of the Universal Ordinary Magisterium.¹¹

One way this magisterium is exercised is “by the express teaching habitually imparted, outside of formal definitions, by the pope and the body of bishops dispersed throughout the world.”¹²

By this standard, for instance, the 1994-1997 Catechism of the Catholic Church contains “universal ordinary magisterium” for those who recognize John Paul II as a true pope. He explicitly declared the Catechism “a sure norm for teaching the faith,” “a sure and authentic reference text for teaching Catholic doctrine - - to assist in the writing of new local catechisms - - while carefully preserving the unity of faith and fidelity to Catholic doctrine.”¹³

Yet traditionalists who read SSPX publications, *The Remnant*, *Catholic Family News*, etc. know that the Catechism is filled with doctrinal error, because it promotes the Vatican II teachings on religious liberty, ecumenism, collegiality, the Church, etc.

(2) Doctrinal Decrees of the Holy See.¹⁴ These include doctrinal statements published by the Holy Office with the pope’s approval, as well as papal encyclicals. Catholics must give all authentically approved papal doctrinal decrees “internal mental and religious assent,” given “out of reverence due to God, who governs through the sacred hierarchical authority of the Church.”¹⁵

Those traditionalists who recognized John Paul II as a true pope, therefore, would be required to give internal men-

¹¹ Vatican Council I, *Dogmatic Constitution on the Faith* (1870), DZ 1792. “Further, by divine and Catholic faith, all those things must be believed which are contained in the written word of God and in tradition, and those which are proposed by the Church, either in a solemn pronouncement or in her ordinary and universal magisterium to be believed as divinely revealed.” See also Canon 1323.1.

¹² E. Dublanchy, “Église,” DTC 4:2194.

¹³ Apostolic Constitution *Fidei Depositum* (11 October 1992).

¹⁴ Pius IX, *Tuas Libenter* (1863), DZ 1684. “it is not sufficient for learned Catholics to accept and revere the aforesaid dogmas of the Church, but - - it is also necessary to subject themselves to the decisions pertaining to doctrine which are issued by the Pontifical Congregations.”

¹⁵ J. Salaverri, *Sacra Theologiæ Summa: De Ecclesia* (Madrid: BAC 1958) 1:659, 666.

tal and religious assent to post-Vatican II pronouncements such as the Declaration *Dominus Jesus*, which “The Sovereign Pontiff - - with sure knowledge and by his apostolic authority, ratified and confirmed.”¹⁶

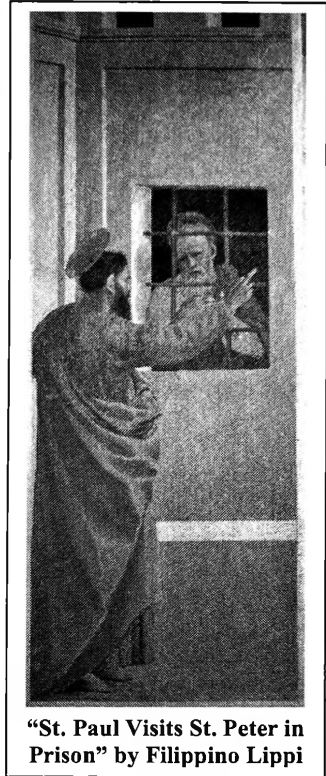
Here too, publications put out by the R&R camp have pointed out that this document and others like it contain doctrinal errors about the Church, salvation, etc.

But again, one cannot reconcile the existence of doctrinal errors found in either source (presumed universal ordinary magisterium or papal doctrinal decrees) to the notion that a true pope and Catholic bishops, retaining teaching authority from Jesus Christ and the assistance of the Holy Ghost, imposed doctrinal error on the universal Church.

C. Theologians do not support public “resistance” to a true pope’s laws and doctrine.

Faced with the foregoing, the R&R camp has endlessly – and I mean endlessly – recycled a set of quotes from various theologians that supposedly support public “resistance” to a pope’s evil laws and false doctrines.¹⁷ The quotes fall into two groups:

(1) Commentaries on Paul’s Resistance to Peter. (Gal:



“St. Paul Visits St. Peter in Prison” by Filippino Lippi

¹⁶ From the attestation signed by Ratzinger.

¹⁷ For example, Michael Davies, *Pope Paul’s New Mass* (Dickinson TX: Angelus 1980) 589ff; Atila Guimarães et al., *We Resist You to the Face* (Los Angeles: TIA 2000), 56ff, etc. The quotes seem to have first been circulated in an appendix to Arnaldo Xavier da Silveira’s *Consideracoes sobre o Ordo Missæ de Paulo VI* (Sao Paulo: 1970). It was in one of his early works in Portuguese that I first saw brought together the writings of various theologians on the issue of a heretical pope – for me a rather astounding discovery. Mr. da Silveira was one of the founders of TFP.

2:11-14) Here St. Paul publicly rebuked St. Peter for dissimulating about observing the Old Testament dietary laws: "I withstood him to the face, because he was to be blamed."

St. Thomas¹⁸ and others¹⁹ observe that St. Paul gave an example of how subjects should give fraternal correction to their prelates "even publicly," if they commit a crime that is public, scandalous and a danger to the faith. This is standard teaching in moral theology manuals.

The principle, however, applies only to fraternal correction. No theologian I know of extends it to rejecting a pope's universal disciplinary laws or teachings of his universal ordinary magisterium.²⁰ The theologian Suarez, in fact, says that neither Gal. 2:11-14 nor Mt. 18:17²¹ allow "fraternal correction" of a pope through public denunciation of his crime.²²

(2) Resistance to a Pope "Destroying the Church." R&Rers often cite quotes from 15th- and 16th-century theologians that say it is permissible to "resist" a true pope who does such things as attack souls by bad example, encourage sacrileges, appoint unworthy men to or sell church offices, wage unjust wars, inflict spiritual violence, order evil things, profane holy things, "destroy the Church," etc. From these

¹⁸ *Summa* 2-2:33.4; *Ad Galatas* 2:3.11-14, *S. Pauli Apostoli Epistolas* (Turin: Marietti 1929) 1:542, 543; *Scriptum super Sententiis* 19:2.2.3 (Paris: Lethielleux 1947) 4:112ff.

¹⁹ Cornelius a Lapide, *Ad Galatas* 2:11, *Commentarium in S.S.* (Lyons: Pelagaud 1839) 9:445, 446, 447.

²⁰ If anyone maintains that it does, he can spare me his arguments and just cite the theological works that specifically support his position.

²¹ "And if he will not hear thee, tell the church."

²² *De Immunitate Ecclesiastica* 4:6.12, in *Opera Omnia* (Paris: Vivès 1859) 24:381. "I therefore respond to the objection that fraternal correction to the Supreme Pontiff is fitting, insofar as it is a duty of charity, and as such it is proven that this may take place as someone greater by someone lesser, and as a Prelate is corrected by his subject, as Paul acted towards Peter - - Thus the Pontiff may be respectfully corrected and admonished, first alone, if his crime be secret, and then before a few others, if the matter and necessity require it. But what follows, 'tell the church,' has no place here, because the term 'Church' means not the body of the Church, but [an offender's] Prelate. - - Because the pope has no superior Prelate, such a denunciation has no place in his case. Rather since he himself is the Pastor of the whole Church, the Church is sufficiently 'told' of his sin when it is told to the Pope himself."

R&R-ers conclude that “under extraordinary circumstances, a Catholic can have not simply the right but the duty to disobey the Pope.”²³ However:

- These passages justify nothing more than disobeying a pope’s **evil commands** (“Sell Fatima to Disney, Monsignor, dynamite St. Peter’s and then bring me another blonde chorus girl...”), but **NOT** resisting his **universal laws**²⁴ (which are infallible) and the **universal ordinary magisterium** of pope and bishops (also infallible).
- Because the R&R-ers have not examined the context of their “proof-texts,” they mistakenly conclude that the authors were approving “resistance” to a pope by individual Catholics.

But in fact the quotes were part of the Catholic argument against the theories of the conciliarist theologian Gerson (1363-1429)²⁵ regarding how much a general or provincial **council of bishops** or a Catholic **king** could either “correct” or “resist” a morally evil pope – one who, like some Renaissance popes, sold ecclesiastical offices, appointed unworthy office-holders, irresponsibly granted dispensations, and thus “manifestly destroyed the Church.”²⁶

So as regards each quote, either the title of the work in which it appeared, its general context, or the question that

²³ Thus Davies, *Pope Paul’s New Mass*, 602.

²⁴ A law is general and stable. A command is particular or transitory, i.e., it has a limited object (do this or that now) or binds only a certain number of persons. See: R. Naz, “Précepte,” *Dictionnaire de Droit Canonique* (Paris: Letouzey 1935-65) 7:116-17.

²⁵ See L. Salembier, “Gerson, Jean Charlier de,” in DTC 6:1312-22. Conciliarism taught that a pope was subject to a general council. Gerson was a favorite of 16th-century Protestants.

²⁶ See J-G Menendez-Rigada, “Vitoria, François de,” in DTC 15:3130. “il réproouve avec quelque âpreté l’abus que les papes de la Renaissance faisaient de leurs pouvoirs pour concéder toutes sortes de dispense. - - par des dispenses arbitraires détruit manifestement l’Église.”

preceded it clearly indicates that Cajetan,²⁷ Vitoria,²⁸ Bellarmine²⁹ and Suarez³⁰ were supporting resistance to evil popes by **councils**, not individuals. (See footnotes.)

A theological commentary on Vitoria confirms this: “ - - when a pope by arbitrary dispensations manifestly destroys the Church, **not private persons, but the bishops**, in council or by mutual agreement may resist accepting or implementing them - - Distinguished authors and firm defenders of papal authority such as Cajetan likewise upheld

²⁷ Note the title: *The Authority of the Pope and a Council Compared*. The most frequently quoted R&R passage (“resisting a tyrant is an act of virtue - - a pope publicly destroying the Church must be resisted,” etc.) appears in chapter 27, and is immediately followed by: “Many are the ways by which, without rebellion, secular princes and prelates of the Church, if they wish to use them, **may offer resistance** and an obstacle to an abuse of power.” See *De Comparatione Auctoritatis Papæ et Concilii*, (Rome: Angelicum 1936), 411-12.

²⁸ Note the title: *The Power of a Pope and a Council*. The R&R passage (“A pope must be resisted who publicly destroys the Church - - he should not be obeyed - - one would be obliged to resist... it is licit to resist him,” etc.) is a response to question 23: “Once a Council has made such a declaration and decree, if a Pope were to command the contrary, **would it be permissible for bishops or a provincial Council to resist** such a command on their own, or even petition princes to resist the Supreme Pontiff by their power, thus preventing the execution of his commands?” *De Potestate Papæ et Concilii* 23, in *Obras de Francisco de Vitoria: Relecciones Teologicas* (Madrid: BAC 1960) 486. Vitoria incorporates into his response the above-quoted R&R passage from chapter 27 of Cajetan’s work.

²⁹ The R&R passage (“it is licit to resist [a Pope] who attacks souls - - or above all, tries to destroy the Church - - It is licit to resist him by not doing what he orders and by impeding the execution of his will”) is a response to Objection 7: “Any person is permitted to kill the pope if he is unjustly attacked by him. Therefore, even more so is it permitted **for kings or a council** to depose the pope if he disturbs the state, or if he tries to kill souls by his bad example.” *De Romano Pontifice* II.29 in *De Controversiis Christiani Fidei* (Naples; Giuliano 1836) 1:417-18. All nine arguments in chapter 29 are over whether a pope is subject to a king or a council. In his response to Objection 7 Bellarmine likewise cites the above-quoted R&R passage from chapter 27 of Cajetan’s work. See also: Cekada, “The Bellarmine Resistance Quote: Another Traditionalist Myth,” SGG Newsletter (October 2004), pp. 181-186.

³⁰ Note the title: *Ecclesiastical Immunity Violated by Venice*. For the R&R passage (“If [a Pope’s] violence would be spiritual, ordering [*n.b., not legislating/teaching*] evil things, or profaning or destroying sacred things, he may be resisted in a proportionate way”), Suarez likewise cites for his authority Chapter 27 of Cajetan (“**secular princes and prelates of the Church** - - may likewise offer resistance), and even uses some identical language. *De Immunitate Ecclesiastica* 4:6.17-18 in *Opera Omnia* 24:383.

Vitoria himself puts the final nail into the coffin for the R&R “resistance” quotes:

“Proposition 23: **It would not seem permitted for any private person on his own authority to resist and not obey the Pope’s directives**, however much these would contradict a Council’s decision.’ **This is correct. For it would be a great act of irreverence and near-contempt for supreme authority** if anyone were allowed to act towards a pope in a way that would not be permitted towards a bishop, whose directive (however unjust) one may not disobey on private authority.”³²

* * * * *

Since the authority of the Church cannot give evil or error, and since individual Catholics may not “resist” a true pope, R&R-ers face three possible conclusions:

- 1) The New Mass and Vatican II teachings **are Catholic**. (Stop resisting, check out that Saturday Novus Ordo at St. Teilhard’s, homeschool your son Marcel with that new Catechism, and sign up little Philomena for altar girls.)
- 2) The authority of the **Catholic Church has defected**. (Go Episcopalian – great music, no confession!)
- 3) The New Mass and the Vatican II teachings **are not Catholic**, and so **could not have come from the authority of the Church**. (Welcome to...

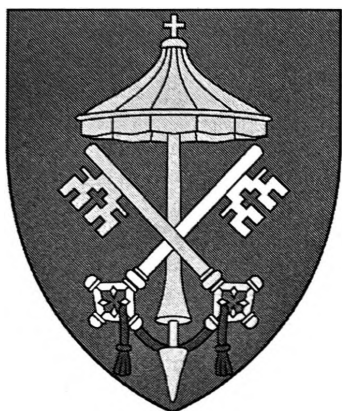
³¹ Menendez-Rigada, DTC 15:3130-1. “Il vaudrait mieux que, quand le pape par des dispenses arbitraires détruit manifestement l’Église, non point les particuliers, mais les évêques, en concile ou d’accord entre eux, résistassent à leur acception et à leur mise à l’exécution, demeurant sauf le respect dû au pontife. Ainsi le soutiennent des auteurs distingués et de fermes défenseurs de l’autorité pontificale, tel le cardinal Cajétan.”

³² *De Potestate* 22, *Obras*, 485: “Non videtur permittendum cuicumque privato sua auctoritate resistere et non parere mandatis Pontificis - - Probatur. Quia esset magna irreverentia et quasi contemptus, si cuilibet hoc concederetur respectu Pontificis - - non licet propria auctoritate discedere.”

II. Sedevacantism

The evils and errors most traditionalists acknowledge, in other words, are solid evidence that the lawgivers lost their authority. Sedevacantism merely tries to explain how.

Here, Catholic theology and canon law tell us that while the Church herself cannot defect from the faith, an individual member who holds Church office can. If he defects publicly, he automatically loses his office (authority).³³



This principle applies even to a pope. Since the 16th century nearly all canonists and theologians who have addressed the issue teach that a pope who becomes a manifest (public) heretic “would, by divine law, fall from office without any sentence.”³⁴

Here is how this applies to the post-Vatican II popes:

A. Heresy Defined

A heretic is “one who, after the reception of baptism pertinaciously denies or doubts any of the truths to believed by divine and Catholic faith.”³⁵

The canonist Michel warns that one must clearly distinguish three problems:

1) Dogmatic – heresy as **false doctrine**.

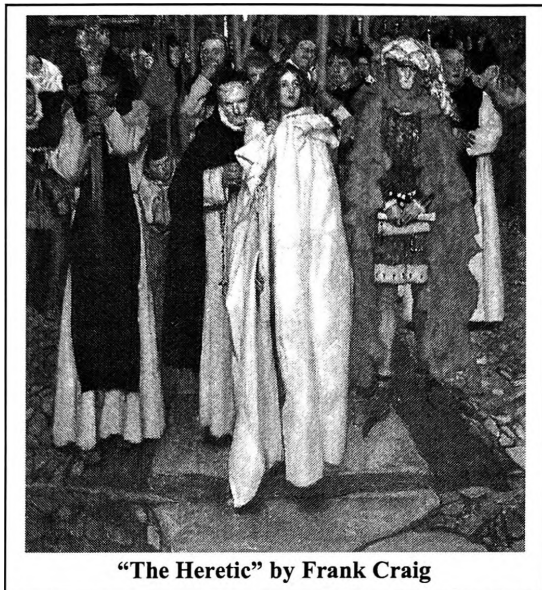
³³ Canon 188.4. “By tacit resignation through the operation of law, all offices become vacant automatically [*ipso facto*] and without any declaration if a cleric - - (4) publicly defects from the Catholic faith.”

³⁴ M. Conte a Coronata, *Institutiones Juris Canonici* (Rome: Marietti 1950) 1:316. My pamphlet *Traditionalists, Infallibility and the Pope* (vol. I, pp. 370-376) contains many similar quotes. Canonists and theologians use the terms “manifest,” “notorious” or “public” heretic to distinguish a pope who professes a heresy publicly from one who adheres to it privately (an “occult” heretic). The latter, according to the common teaching, does not lose office.

³⁵ Canon 1325.2.

- 2) Moral – heresy as **sin**.
- 3) Canonical – heresy as an **ecclesiastical crime** (*delictum*).³⁶

Here we need only discuss points (1) and (2), false doctrine and sin, because a pope's public sin of heresy – the offense against God's law – strips him of Christ's authority.³⁷ Point (3) does not apply, because as supreme legislator a pope cannot commit an ecclesiastical crime (*delictum*) against canon law.



“The Heretic” by Frank Craig

This is a key distinction, because anti-sedevacantist tracts like those of Michael Davies³⁸ routinely misapply to the sin of heresy criteria that pertain only to heresy as an Ecclesiastical crime – much as if one insisted that a sin of murder could not exist without meeting state criminal law's criteria for the crime of murder.

³⁶ A. Michel, “Hérésie, Hérétique,” in DTC 6:2208. “Il faut toutefois distinguer le problème *dogmatique*, qui se rapporte à l'hérésie considérée comme *doctrine*, le problème *moral* qui se rapporte à l'hérésie considérée comme *péché*, et le problème *canonique*, qui se rapporte à l'hérésie considérée comme délit.

³⁷ L. Billot, *De Ecclesia Christi* (Rome: Gregorian 1927) 1:632. “He would automatically lose pontifical power, because, having become an unbeliever [*factus infidelis*], he put himself outside of the Church by his own will.”

³⁸ See *I Am With You Always* (Long Prairie: Newman 1997), esp. 46-7. On 44-5, Davies also treats readers to a half-truth by implying that Wernz-Vidal's *Jus Canonicum* (Rome: 1952) required a “declaratory sentence” from the Church before one could consider a heretical pope deposed. In fact Wernz-Vidal says *twice* (1:453) that a heretical pope *ipso facto* loses his power. “*ante sententiam declaratoriam Ecclesiæ sua potestate privatus existit - - ipso facto R. Pontificem hæreticum exciderere sua potestate.*” His emphasis.

(1) **Doctrine Denied.** The teaching must be an article “of divine and Catholic faith” that the Church has authentically proposed as such.

A prior *ex cathedra* or conciliar definition is not required. “The explicit teaching of the universal ordinary magisterium suffices for a truth to be authentically proposed for adherence by the faithful.”³⁹

The heretic may deny the doctrine “in explicit or equivalent terms,”⁴⁰ through either a contradictory or a contrary proposition.⁴¹

(2) **Sin/Pertinacity.** “Because the act of heresy is an erroneous judgment of intelligence,” says Michel, “to commit the sin of heresy it suffices to knowingly and willingly express this erroneous judgment in opposition to the Church’s magisterium. **From the moment that one sufficiently knows the existence of the rule of the faith in the Church and that, on any point whatsoever, for whatever motive and in whatever form, one refuses to submit to it, formal heresy is complete.**”

“This willed opposition to the Church’s magisterium constitutes the pertinacity authors require for the sin of heresy. With Cajetan we must observe that **pertinacity does not of necessity include long obstinacy by the heretic and warnings from the Church.** A condition for the sin of heresy is one thing; a condition for **the canonical crime** of heresy, punishable by canon laws, is another.”⁴²

This torpedoed the oft-heard R&R argument that a trial or canonical warnings would be required before one could conclude that a pope was pertinacious in heresy.

These two points I will apply to the Vatican II ecumenical super-church heresy that I call...

³⁹ Michel, DTC 6:2215.

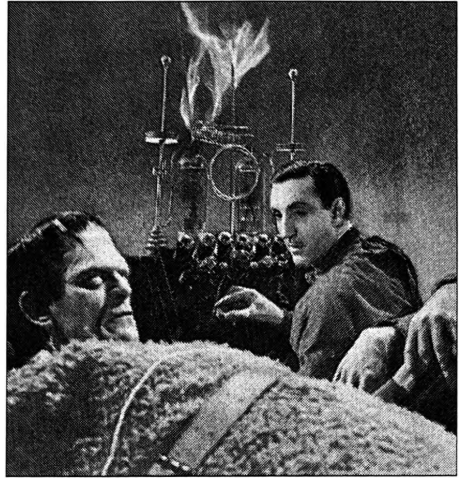
⁴⁰ R. Schultes, *De Ecclesia Catholica: Prælectiones Apologeticæ* (Paris: Lethiel-leux 1931), 638. “*verbis explicitis vel æquivalentibus.*”

⁴¹ Michel, DTC 6:2213. Example: Christ is God-Man = *de fide*. Christ is *not* God-Man = contradictory proposition. Christ is pure man, Christ is an angel = contrary propositions.

⁴² Michel, DTC 6:2222. In-text citations omitted.

B. “Frankenchurch”

This heresy posits a “People of God” and a “Church of Christ” not identical with the Roman Catholic Church and broader than it – a Frankenchurch created from “elements” of the true Church that are possessed either “fully” (by Catholics) or “partially” (by heretics and schismatics).



Though earlier experiments had failed,⁴³ Vatican II’s teaching that Christ’s Church “subsists” in the Catholic Church⁴⁴ was the lightning strike to the monster’s neck-bolt. The stitching holding the ugly beast together was the modernist/ecumenical theology of Church as “communion” (which may be full or partial).

Ratzinger – Doktor von Frankenchurch – fully developed the latter in the 1992 CDF Letter on “Communion,” the 2000 Declaration *Dominus Iesus* and other JP2-approved statements. Here are some typical propositions:

- Schismatic bodies are “particular Churches” united to the Catholic Church by “close bonds.”⁴⁵
- The Church of Christ “is present and operative” in churches that reject the papacy.⁴⁶
- The universal Church is the “body of the [particu-

⁴³ The initiatives of Lambert Beauduin (1920s) and Henri de Lubac (1940s) were condemned by Pius XI and Pius XII, respectively. Since John Paul II would later make the modernist de Lubac a cardinal, torch-bearing villagers with pitchforks wouldn’t have been a bad idea either.

⁴⁴ Vatican II, Dogmatic Constitution on the Church *Lumen Gentium* (21 Nov 1964), 8, AAS 57 (1965), 12.

⁴⁵ Congregation for the Doctrine of the Faith. *Letter to the Bishops of the Catholic Church on Some Aspects of the Church Understood as Communion* (1992), 17.

⁴⁶ *Dominus Iesus*, 17.

lar] Churches.”⁴⁷

- There exist “numerous ‘spheres’ of belonging to the Church as People of God and of the bond which exists with it.”⁴⁸
- Schismatic Churches have a “wounded” existence.⁴⁹
- The “universal Church becomes present in them [the particular Churches] with all her essential elements.”⁵⁰
- “Elements of this already-given Church exist, found in their fullness in the Catholic Church, and without this fullness, in the other communities.”⁵¹

There’s no escape from Frankenchurch. It is a fundamental principle in 1983 Code of Canon Law,⁵² and it lumbers through the new Catechism⁵³ to menace your son Marcel, who will learn:

- One becomes a member of the “People of God” by baptism. (#782)
- This whole People of God participates in the offices of Christ (priest, prophet, king). (#783) (“Does that mean even Lutherans, Dad?” “Uh...”)
- The sole Church of Christ “subsists in” the Catholic Church. (#816)
- Christ’s body, the Church, is “wounded.” (#817)
- Christ’s Spirit uses schismatic and heretical bodies (“these Churches and ecclesial communities”) as “means of salvation.” (#819) (“Then why do we drive an hour to a Latin Mass, Mom?” “Er, your Dad will explain this when you’re more grown up...”)

⁴⁷ *Communion*, 8.

⁴⁸ John Paul II, *Discourse to the Roman Curia*, June 28, 1981.

⁴⁹ *Communion*, 17.

⁵⁰ *Communion*, 7.

⁵¹ *Ut unum sint*, 14.

⁵² See Canons 204-5, and the lengthy commentary on the Code’s “communion” theology in J. Beal *et al.*, *New Commentary of the Code of Canon Law* (New York: Paulist 2000), 245-8, and *passim*. All the baptized are “incorporated” into and “constituted as” the “People of God.”

⁵³ *Catechism of the Catholic Church*, 2nd ed., (Rome: Lib. Ed. Vat. 1997).

- Catholics are “fully” incorporated into the Church; those who believe in Christ and are baptized are in a “certain, although imperfect communion with the Catholic Church,” and this communion with schismatic orthodox Churches is “so profound” that it “lacks little to attain the fullness.” (#837-8)
- Each “particular Church” is “Catholic,” but some are “fully Catholic.” (#832, 834) (“So a C+ ‘mark of the Church’ is still passing, Dad?” “Um, let’s ask the priest on Sunday...”)

(1) **What Frankenchurch Denies.** Through contrary propositions, it denies an article of divine and Catholic faith: “I believe in one Church.”⁵⁴

The Church’s universal ordinary magisterium, speaking through pope after pope and theologian after theologian, has repeatedly explained exactly what this unity means: “The property of the Church by which, in the profession of faith, in governance and in worship, she is **undivided in herself and separated from any other.**”⁵⁵

“The practice of the Church,” said Leo XIII, “has always been the same, as is shown by the unanimous teaching of the Fathers, who were wont to hold as **outside Catholic communion, and alien to the Church**, whoever would recede in the least degree from any point of doctrine proposed by her authoritative Magisterium.”⁵⁶

Instead, Frankenchurch overthrows the Church’s divine constitution and gives us a monster – divided in faith, governance and worship, but held together by degrees of full or partial communion (tight or loose stitches?). Frankenchurch teaches that:

⁵⁴ Salaverri, 1:1153. “Articulus Fidei divinæ et Catholicæ.” Frankenchurch is also contrary to “outside the Church, there is no salvation,” which is a “dogma of the faith.” Salaverri 1:1095. See also Pius IX, *Quanto Conficiamur Moerore* (10 August 1863) DZ 1677: “notissimum catholicum dogma.”

⁵⁵ J. de Groot, *Summa Apologetica de Ecclesia Catholica* (Regensburg: Manz 1906) 153. “indivisa in se et divisa a quolibet alio.”

⁵⁶ *Satis Cognitum* 29 June 1896. In *Enchiridione delle Encicliche* 3:1251. The “unanimous teaching of the Fathers” is likewise proof that a doctrine is part of the universal ordinary magisterium (Salaverri 1:814 ff).

- a) Schismatic and/or heretical churches are part of Christ's Church.
- b) One can be part of Christ's Church without submission to the Roman Pontiff.
- c) The one, holy, catholic, apostolic Church becomes present in every valid celebration of the Eucharist.
- d) The Holy Ghost uses schismatic and/or heretical sects as means of salvation.

To read previous papal statements is to see Frankenchurch's heresies condemned:

- Pius IX, *Amantissimus*, 18 Apr 1862: Those who leave the Roman See "cannot hope to remain within the Church."
- Pius IX, Holy Office Letter, 16 Sep 1864: The novelty of "branch churches" "destroys at one stroke the divine constitution of the Church."
- Pius IX, *Jam Vos Omnes*, 13 Sep 1868: "No non-Catholic sect or "all of them together in any way constitute or are that one Catholic Church which Our Lord founded and established and which He willed to create."
- Leo XIII, *Officio Sanctissimo*, 22 Dec 1887: He who separates from the Pope "has no further bond with Christ."
- Leo XIII, *Satis Cognitum*, 29 Jun 1896: "Jesus Christ did not - - institute a Church to embrace several communities similar in nature, but in themselves distinct, and lacking those bonds which render the Church unique and indivisible after that manner in which in the symbol of our faith we profess: 'I believe in one Church'."
- Leo XIII, *ibid.* The Church regarded as rebels and outside her "all who held beliefs on any point of doctrine different from her own."
- Pius IX, *Mortalium Animos*, 6 Jan 1928: No one is in Christ's Church or remains there unless he ack-

nowledges and obeys the Pope.

- Pius XII, *Mystici Corporis*, 29 Jun 1943: They stray from divine truth “who imagine the Church to be something which can neither be touched nor seen, that it is something merely ‘spiritual,’ as they say, in which many Christian communities, although separated from one another by faith, could be joined by some kind of invisible link.”

Such quotes are the tip of the iceberg.⁵⁷ For further proof, I invite readers to study the 3-column comparison chart attached to Bishop Sanborn’s article “The New Ecclesiology.” Judge for yourself whether Frankenchurch is contrary to the universal ordinary magisterium – and thus heresy.

(2) Sin/Pertinacity & the Post-Conciliar Popes. Recall the canonist Michel’s teaching: the sin of heresy requires **no** canonical warnings for pertinacity. All one need do is (a) know the rule of faith, and (b) refuse to submit to it. Formal heresy is then complete – because the willed opposition to the magisterium constitutes pertinacity.

Cardinal Billot put it still more simply: “Formal heretics are those to whom the authority of the Church is sufficiently known.”⁵⁸

The post-Conciliar popes were former academic theologians, seminary professors, cardinal-archbishops and curialists. Do you really think such men did **not** “know the rule of faith in the Church”? Did **not** know that *unam ecclesiam* in the Creed meant the Church was “undivided in herself and separate from any other”?

Or do you really think that Professor-Doktor-theologian-peritus-cardinal-CDF Prefect-superbrain Joseph Ratzinger did not know that the universal ordinary magisterium – Pius IX, Leo XIII, Pius XI, Pius XII, countless other popes,

⁵⁷ See D. Sanborn, “The New Ecclesiology: An Overview and Documentation,” *Catholic Restoration*, (Sept-Oct 2004), for an excellent survey.

⁵⁸ *De Ecclesia* 1:292. “Formales illi sunt, quibus Ecclesiae auctoritas est sufficienter nota; materiales vero, qui invincibili ignorantia circa ipsam Ecclesiam laborantes, bona fide eligunt aliam regulam directivam.”

the Church Fathers and the whole edifice of Catholic theology – taught that all who rejected even one point of the Church’s doctrine were outside her communion and alien to her? That Ratzinger did not know that Frankenchurch overthrew the previous teaching?

If you believe that, I have a bridge to sell you – over the Tiber.

(3) **Who Decides This?** The answer is simple: The same people who “decided” that the New Mass was evil and that the Vatican II teachings were non-Catholic – you and me, folks. We didn’t need a General Council to figure out those issues and we don’t need a General Council for this one either.

After all, do we traditional Catholics await a jury verdict before we decide that the local abortionist is a murderer? He openly violates a Commandment. He commits the **sin of murder**, and we don’t hesitate to say so – even though no court has convicted him.

So too, the public heretic. He aborts an article of the Creed to create a monster. He openly denies the rule of faith. He commits the **sin of heresy**.

We traditionalists need not hesitate to call a heretic a heretic – even though no Council has convicted him – any more than we hesitate to call an abortionist a murderer.

Nor should traditionalists hesitate to point out the consequences: A public heretic cannot be a true pope. He deposes himself.

* * * * *

Sedevacantism is the **only** logical conclusion that follows from the initial judgment every traditionalist makes – that the New Mass is evil and the new doctrines are errors. Evil and error can come only from non-Catholics – not true Successors of Peter who possess authority from Jesus Christ.

All traditionalists, therefore, are really sedevacantists – it’s just that they haven’t all figured it out yet.

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THE TERRI SCHIAVO CASE AND EXTRAORDINARY MEANS

Rev. Anthony Cekada
The Remnant, April 2005

I have been repeatedly asked for my thoughts on the Terri Schiavo case. Here, for the record, is a brief summary of my opinion.

Many traditional and “conservative” Catholics were misled by unprincipled politicians and pseudo-conservative talk-show hosts into thinking of it as a pro-life or anti-euthanasia case.

It was no such thing – and this demonstrates how wary one should be of turning for moral guidance to the advertiser-shilling blowhards of Fox News and the EIB Network.

Instead as Catholics we must turn to the teaching of theologians and the magisterium.

Here, the key issue is preserving a life by “*extraordinary means*,” a concept first developed by the 16th-century Dominican theologian Vitoria as follows:

If a sick man can take food or nourishment with a certain hope of life, he is required to take food as he would be required to give it to one who is sick. However, if the depression of spirits is so severe and there is present grave consternation in the appetitive power so that only with the greatest effort and as though through torture can the sick man take food, this is to be reckoned as an impossibility and therefore, he is excused, at least from mortal sin. - -

It is one thing not to protect life and it is another not to destroy it. *One is not held to protect his life as much as he can.* Thus one is not held to use foods which are the best or most expensive even though those foods are the most healthful. Just as one is not held to live in the most healthful place, neither must one use the most healthful foods. If one uses food which men commonly use and in quantity which customarily suffices for the preservation of strength, even though one’s life is shortened considerably, one would not sin. *One is not held to employ all*

*means to conserve life, but it is sufficient to employ the means which are intended for this purpose and which are congruous.*¹

Other theologians subsequently refined and developed this teaching, until in 1957, we find Pope Pius XII explaining its application as follows:

Normally [when prolonging life] one is held to use only ordinary means according to the circumstances of persons, places, times and cultures – that is to say, *means that do not involve any grave burdens for oneself or another. A more strict obligation would be too burdensome for most people and would render the attainment of a higher, more important good too difficult.* Life, health, all temporal activities are in fact subordinated to spiritual ends. On the other hand, one is not forbidden to take more than the strictly necessary steps to preserve life and health, as long as he does not fail in some more serious duty.²

These and similar passages in other authors led me to conclude that in the case of Terri Schiavo, the feeding tube, etc. constituted *extraordinary* means.

(Consider the “grave burdens” that such means would increasingly impose on society, now that medical science can keep the dying and unconscious going for years.)

This was also the conclusion of Bishop Donald Sanborn, who teaches moral theology – the branch of theology that deals with ascertaining whether specific human acts are morally good or morally evil.

Accordingly, as regards applying the principles of Catholic moral theology:

- 1) One *could* have continued to employ these extraordinary means to maintain Terri Schiavo’s life; however
- 2) one would *not* have been *obliged* to do so.

¹ Francisco de Vitoria, *Relectiones Theologicæ*, Relectio IX, “*de Temperentia*.”

² Pope Pius XII, “The Prolongation of Life,” *The Pope Speaks*, vol. 4, 1958, pp. 393-398; *Acta Apostolicæ Sedis* 49 (November 24, 1957), 1027-1033.

It is false therefore to claim that Terri Schiavo was the victim of “euthanasia” or “murder.”

Further, in my opinion, Mrs. Schiavo’s husband (as horrible a person as he seems to be) – and not her parents – had the sole right before God to determine whether these means should have continued to be used.

My comments here, like those on the Iraq War, may cause consternation for some good lay people. But when it comes to contemporary issues, my duty as a priest is to research the Church’s teaching, tell you what it is, and tell you how to apply it.

May Terri Schiavo rest in peace.

FOLLOW-UP LETTER ON THE SCHIAVO CASE

Rev. Anthony Cekada
The Remnant, May 2005

To the Editor,

My letter on the Terri Schiavo case that appeared in your previous issue was widely circulated and prompted many comments from traditionalists – nearly all negative and emotional.

Most objections were rooted in misconceptions about extraordinary means, or in a disgust with the actions of Terri Schiavo's husband.

I would appreciate the opportunity to expand upon both these points, and then add a more general observation.

1. EXTRAORDINARY MEANS. The resolution of the moral issue in the case hinges upon the definition of the term “extraordinary” – not as the term is defined by medical science, but rather as it is defined by *moral theologians*.

Pius XII's statement defines extraordinary means as those which “involve any grave burdens for oneself or another.”

The emphasis, then, is not on the specific procedure that is performed, but rather upon the *burden* that results from performing it.

Moral theologians categorize as extraordinary those treatments that are physically painful, invasive, repulsive, emotionally disturbing, dangerous, rarely successful, expensive, etc.

Nowadays the latter burden – extraordinary expense – is mostly hidden, because “someone else pays for it” – i.e., you and I and everyone else foot the bills through health insurance premiums, doctor malpractice premiums and high taxes.

This is now a grave burden on society. If someone wants to make every effort to sustain life for as long as possible in a body that is obviously shutting down for good, he is free to

pay for extraordinary means himself – but it is wrong for him to impose this burden on everyone else.

Had Terri Schiavo not received a \$750,000 “malpractice” settlement – i.e., some trial lawyers shook down an insurance company, which in turn calculated that it would be cheaper to pay them and the Schiavos off, rather than gamble with the Oprah-watching idiots in the average jury pool – you can bet that her husband and parents would not have sold off their *own* houses to sustain her for all this time.

Instead, you and I – not merely the Schiavos or the Schindlers – got stuck with the “grave burden” of paying for it.

If something is immoral in the whole affair, it is surely this.

2. WHO DECIDES? Mrs. Schiavo’s husband (as horrible a person as he seems to be) – and not her parents – had the right before God to determine whether these means should have continued to be used.

A husband does not somehow automatically lose his headship of the household or his God-given “domestic and paternal authority” if he becomes a moral reprobate.

An ecclesiastical or civil court may for a grave reason, of course, prevent him from exercising his authority.

In the Schiavo case, however, the civil courts examined the matter and repeatedly reaffirmed Mr. Schiavo’s rights.

The alternative to this is what? Allow in-laws automatic headship over the wife when they believe the husband is a “moral reprobate”? Have those paragons of family values – congressmen – legislate the rules? Assign headship of the wife to the relative deemed most worthy by the majority of members of an Internet chat room?

Even a wicked husband retains certain rights before God.

3. EMOTION OR PRINCIPLE? The negative response to both these points was almost without exception based on emotion.

This I find very disturbing, because the first reaction a Catholic – lay or clerical – should have when confronted with

a complex moral or theological problem is to *find the principle that applies* – what, in other words, is the standard *the Church* (not my emotions, directed by Michael Savage) uses to separate virtue from sin, or truth from error, on any particular issue.

In most cases, the right principle and the correct definition of its terms can be found in a theology book somewhere, even though it may take some time and priest with good Latin to find it.

The tendency of so many traditionalists to resolve moral or theological – be it the Schiavo case, the Indult, excommunications, schism, heresy, the Fatima consecration, the sede vacante dispute, etc. – by following *emotional reactions*, rather than by seeking out *an objective principle that the Church has laid down*, makes them ripe for deception by the ignorant and manipulation by the cynical.

The reactions of so many in the Schiavo case make me fear that when it comes to deceiving the elect, the Antichrist won't have to work too hard.

IS REJECTING THE PIUS XII LITURGICAL REFORMS ILLEGAL?

How Can You Justify Using the Older Rubrics and Missal?

Rev. Anthony Cekada

April 27, 2006

QUESTION: *I was just wondering how you justify rejection of the Holy Week “reforms” under Pius XII. If the principle of “epikeia” is invoked, it would seem this does not apply given the validity of the reigning Pontiff, and his rightful authority to make such changes. I was under the impression that epikeia only applied when a law began to work against the common good and needed to be ignored. I would appreciate your insight.*

QUESTION: *Regarding the 1955 Holy Week changes: in reading the arguments from 1955 for the reasons for the changes, the “innovators” talked of “returning to earlier traditions” and of “simplification of the ceremonies”, etc.: the same arguments made later for the entire Novus Ordo. Admittedly, the whole thing stinks of Bugnini. Annibale admitted in his memoirs that this was an important step towards the liturgical anarchy he later created with Paul VI and all their Protestant friends and bishops. I have no doubt in my mind that the 1955 changes should have been thrown out (like the rest of Bugnini’s “innovations”).*

However, I have two main questions: what does this say to us of Pope Pius XII in those latter years for permitting and utilizing this new ceremony, and also, since we have been Interregnum since 1958, what justifications do we utilize to individually celebrate the older ceremonies which were replaced before 1958 without making it appear that we are “picking and choosing” which ceremonies we want to utilize. Is it because of the belief that Pope Pius XII would never have agreed with the changes if he knew what occurred afterwards like we do know? Is it because he never really

promulgated the changes (as some believe)? Or is it simply because Bugnini was behind it all? I would greatly appreciate your thoughts on this as this topic has puzzled me for quite some time.

RESPONSE. Over the years we have been repeatedly asked this question. The answer is quite simple, and is based on the common-sense principles that underlie all the Church's legislation.

The laws promulgating the Pius XII liturgical reforms were human ecclesiastical laws, subject to the general principles of interpretation for all church laws. As such, they no longer bind on two grounds:

1. Lack of Stability or Perpetuity. Stability is an essential quality of a true law. The 1955 reforms were merely transitional norms; this is self-evident from subsequent legislation and contemporaneous comments by those responsible for creating them.

In his 1955 book on the changes, *The Simplification of the Rubrics*, Bugnini himself makes this abundantly clear in the following passages:

- "The present decree has a contingent character. It is essentially a bridge between the old and the new, and if you will, an arrow indicating the direction taken by the current restoration..."
- "The simplification does not embrace all areas which would deserve a reform, but *for the moment only* the things that are easiest and most obvious and with an immediate and tangible effect - - In the simplification, being a 'bridge' between the present state and the general reform, compromise was inevitable..."
- "This reform is only the first step toward measures of a wider scope, and it is not possible to judge accurately of a part except when it is placed in its whole."

In a 1956 commentary on the new Holy Week rite (Bibliotheca Ephemerides Lit. 25, p.1.), Bugnini says:

The decree *Maxima redemptionis nostræ mysteria*, promulgated by the Sacred Congregation of Rites on 16 November 1955 [and introducing the new Holy Week] is the third step towards a general liturgical reform.

Such norms (as we now realize), thus lacked one of the essential qualities of a law – stability or perpetuity – and are therefore no longer binding.

2. Cessation of Law. A human ecclesiastical law that was obligatory when promulgated can become harmful (*nociva*) through a change of circumstances after the passage of time. When this happens, such a law ceases to bind. (I have written several articles that touch upon this topic.)

Traditionalists apply this principle (at least implicitly) to a great number of ecclesiastical laws, and it applies equally to the 1955 reforms.

The many parallels in principles and practices between the Missal of Paul VI and the 1955 reforms now render continued use of the latter harmful, because such a use promotes (at least implicitly) the dangerous error that Paul VI's "reform" was merely one more step in the organic development of the Catholic liturgy.

Indeed, this is the very lie that Paul VI proclaimed in the first two paragraphs of *Missale Romanum*, his 1969 Apostolic Constitution promulgating the *Novus Ordo*.

It makes no sense to support this deception by insisting that the 1955 legislation still binds – especially when we now know that it was all part of a long-range plot by Annibale Bugnini's modernist cabal to destroy the Mass.

Here, from his 1955 book, *The Simplification of the Rubrics*, is Bugnini announcing the long-term goal of these changes:

- "We are concerned with 'restoring' [the liturgy] - - [making it] a new city in which the man of our age can live and feel at ease..."
- "No doubt it is still too early to assess the full por-

tent of this document, which marks an important turning point in the history of the rites of the Roman liturgy...”

- “Those who are eager for a more wholesome, realistic liturgical renewal are once more – I should say – almost invited, tacitly, to keep their eyes open and make an accurate investigation of the principles here put forward, to see their possible applications...”
- “More than in any other field, a reform in the liturgy must be the fruit of an intelligent, enlightened collaboration of all the active forces.”

And here is Bugnini describing how his “reform” commission got the liturgical changes approved by Pius XII:

The commission enjoyed the full confidence of the Pope, who was kept abreast of its work by Monsignor Montini [Paul VI, the modernist who would promulgate the *Novus Ordo*] and even more, on a weekly basis, by Father Bea [half-Jew, modernist, and premier ecumenist at Vatican II], confessor of Pius XII. Thanks to them, the commission was able to achieve important results even during periods when the Pope’s illness kept everyone else from approaching him. (*The Liturgical Reform*, p. 9)

Thus, the Mason’s liturgical creations were presented to the sick pope for his approval by the two scheming modernists who would be major players in destroying the Church at Vatican II.

Bugnini in his memoirs, indeed, entitles the chapter on his involvement with the pre-Vatican II changes as “The Key to the Liturgical Reform.” It prepared the ground for what would follow. I devote two weeks of my seminary liturgy course on the “Modern Era” to an examination of the pre-Vatican II antecedents to the later “reforms.”

Traditionalists rightly set aside as inapplicable many other ecclesiastical laws. *A fortiori*, they should ignore liturgical laws that were the dirty work of the man who destroyed the Mass.

THE PIUS XII REFORMS: MORE ON THE LEGAL ISSUE

Despite Bugnini, Why Not Just Obey “the Last True Pope”?

Rev. Anthony Cekada

July 10, 2006

In April 2006 I posted a short article on the Internet that explained briefly why rejecting the Pius XII Holy Week reforms and adhering to the previous liturgical practices was not really “illegal,” arbitrary, or a case of “picking and choosing” à la SSPX.

I pointed out that, by applying the general principles for the interpretation of ecclesiastical laws, the laws imposing the reforms could no longer be considered binding because: (1) They lacked one of the essential qualities of a law, stability (or perpetuity); and (2) They became harmful (*nociva*) because of a change of circumstances, and hence automatically ceased to bind.

To support the factual claims for each argument, I quoted extensively from a 1955 work by Fr. Annibale Bugnini, who was not only involved in formulating the Pius XII reforms, but also the person most directly responsible for the creation of the *Novus Ordo* in 1969.

Bugnini repeatedly described the reforms as provisional or as steps leading to measures that would be even more far-reaching (read: the *Novus Ordo*).

One reader sent me some additional questions that I have answered below.

1. “Stability” and the Legislator’s Intention. *“Thank you for your article on the Pius XII Holy Week changes. This is a question I have had some difficulty with lately, with respect*



Annibale Bugnini
(1912-1982)

to how we can reject the liturgical laws of a true pope.”

“In your first point, on the transitory nature of the reforms, all of the quotes you gave were from Bugnini. But since a law is an act by a legislator, isn’t it the legislator’s intent that is relevant, and not the man who merely drafted the law or advised the legislator?”

The various stages of the reforms were outlined beforehand (at least in a general sense) in a 340-page typeset document called the *Memoria sulla riforma liturgica*, which was presented to Pius XII in 1948.

The *Memoria* bears one signature, that of Fr. Ferdinando Antonelli OFM, who in the last sentence of the document graciously thanks “the Rev. Fr. Bugnini CM, a member of the Commission, for the help he gave me in the revision of the drafts.” Some twenty-one years later, Fr. Antonelli would also sign the April 3, 1969 decree promulgating Paul VI’s *Novus Ordo Missæ*.

The *Memoria* states specifically that the “complete and general revision” it envisions “cannot be put into practice in a few days” and must be carried out in “successive phases” (§334). The reform will begin with the Breviary, followed by the Missal, the Martyrology, and the rest of the liturgical books. (§339). These will be approved at each stage by the pope (§340). The process will culminate with the promulgation of a “Code of Liturgical Law” that will be gradually prepared during the work of the Reform and “should guarantee its stability.” (§341: *garantire la stabilità*).

The *Memoria* deferred to “the Commission’s second stage of work” (§316) such possibilities as introducing a *Novus Ordo*-style multi-year cycle of scripture readings (§258), using the vernacular (§314), fostering “participation” (§314), introducing concelebration (§314), or changing the “internal structure of the Mass itself” (§314).

In practice, however, only a few points from the first stage (the Breviary) were introduced. Changes in the Missal were limited for the time being to the new Holy Week.

The “Code of Liturgical Law” that the *Memoria* said was

to “guarantee the stability” of the proposed reform, obviously, was never issued.

The provisions of the 1955 Decree promulgating the new rubrics for the Breviary underscored the transitory nature of the reforms as well: Although the Decree introduced numerous rubrical changes, it specified that the liturgical books then in force must continue to be used “until further provision is made” and that “no change whatever is [to be] made in arranging whatever editions may be made of the Roman Breviary and Missal.”

From all this, it is absolutely clear that the Pius XII himself regarded the 1950s liturgical legislation as transitory – temporary steps leading to something else.

And in the practical order, moreover, the changes *were* transitory. The last batch (1958) stayed in full force only until 1960, when John XXIII issued a new set, intended to tide everyone over till Vatican II overhauled everything.

All the foregoing is more than sufficient to establish that the laws introducing the Pius XII reforms lacked the essential quality of stability (or perpetuity), and for that reason must be considered no longer binding.

2. “Cessation” and Changed Circumstances? *“As to the second point, I don’t understand what the changed circumstances are. If the circumstances are the modernists’ intentions that this be the first step to a massive destruction of the Church, then the circumstances didn’t in fact change. It already existed at the time the law was passed. And to say that these evil intentions can be attributed to the law itself would seem to say the devil slipped one past the Holy Ghost and used the Church’s authority for evil.”*

The changed circumstances that render the 1950s legislation harmful are not simply the modernists’ intentions, but principally the *fact* of the promulgation of the New Mass – a rite which all traditionalists regard as evil, harmful to the Catholic faith, sacrilegious and grossly irreverent, if not outright invalid.

Now, among the principles and precedents introduced in the Pius XII liturgical changes, we discover the following elements that were subsequently incorporated across the board into the New Mass:

- 1) Liturgy must follow the “pastoral” principle to educate the faithful.
- 2) Vernacular may be an integral part of the liturgy.
- 3) Reduction of the priest’s role.
- 4) Lay participation must ideally be vocal.
- 5) New liturgical roles may be introduced.
- 6) Prayers and ceremonies may be changed to accommodate modern “needs.”
- 7) “Needless duplications” must be eliminated.
- 8) The Ordo Missæ itself may be changed, or parts eliminated.
- 9) The Creed need not be recited on more solemn occasions.
- 10) The priest “presides” passively at the bench when Scripture is read.
- 11) Certain liturgical functions must be conducted “facing the people.”
- 12) Emphasis on the saints must be reduced.
- 13) Liturgical texts or practices that could offend heretics, schismatics or Jews should be modified.
- 14) Liturgical expressions of reverence for the Blessed Sacrament may be “simplified” or reduced.

The 1950s liturgical legislation introduced these things here and there, and on a limited basis. Taken individually, none was evil in itself.

But fifty years later, we recognize that these principles and precedents were the foot in the door to the eventual destruction of the Mass. In the very document promulgating the Novus Ordo, in fact, Paul VI himself points to the Pius XII legislation as the beginning of the process.

Continuing to follow these practices promotes the modernist lie that the New Mass was merely an organic develop-

ment of the true Catholic liturgy. You can hardly criticize the New Mass's vernacular, passive presider and ceremonies facing the people if you engage in the very same practices every year when Holy Week rolls around.

3. Indefectibility of the Church? *"What becomes of the indefectibility of the Church and the guidance of the Holy Ghost if we assert that a heretic has used the authority of a true pope to promulgate a liturgy that is harmful to the Church?"*

The application of laws promulgating the liturgical changes *became* harmful after the passage of time because of the changed circumstances, as explained in 2.

Canonists and moral theologians (e.g., Cocchi, Michels, Noldin, Wernz-Vidal, Vermeersch, Regatillo, Zalba) commonly teach that a human law can become harmful (*nociva, noxia*) due to changed circumstances after the passage of time. In such a case it automatically ceases to bind.

One cannot therefore maintain that the application of this principle contradicts the teaching of dogmatic theology that the Church is infallible when she promulgates universal disciplinary laws.

4. Are You "Pope-Sifting"? *"How is this distinguishable from the SSPX's 'pope sifting'? If we don't draw the line between true popes and false popes, then where do we draw it? It seems we could hardly criticize the SSPX for picking and choosing what they accept from their 'pope'. Even more frighteningly, must we make the same judgments about earlier popes? What about the liturgical laws of St. Pius X? St. Pius V?"*

The phrase "pope-sifting" originated with Fr. Franz Schmidberger's statement that one must sift (*cribler*) the teachings of Vatican II and the post-Conciliar popes in order to separate what is Catholic from what is not Catholic.

The essence of pope-sifting consists in the ongoing act of

private judgement exercised over each teaching and law that emanates from a *living* Roman Pontiff, coupled with *refusal of submission* to him. SSPX has made this the fundamental operating principle for its apostolate.

For those who do not observe the Pius XII liturgical legislation, however, there is no living pope to “sift” or refuse submission to. We merely apply to these laws the same general principle we apply to all *other* ecclesiastical laws: If because of the post-Vatican II crisis, applying a particular law (e.g., restrictions on delegations for administering sacraments, dimissorial letters for ordinations, permissions for erecting churches, faculties for preaching, requirements for *Impri-maturs*, etc.) would now have some sort of harmful effect, we consider the law to be no longer binding.

Or put another way: If like SSPX you recognize someone as a living pope, he is your living lawgiver; you are bound to approach him to ask which laws apply to you and how to interpret them. If you are a sedevacantist, however, you have **no** living lawgiver to approach; when you have a question about whether a law applies or how to interpret it, your only recourse is to follow general principles the canonists have laid down.

5. Obedience to Lawful Authority? *“How do we reconcile this with obedience to lawful authority? It seems we are questioning the wisdom of the legislation instead of accepting the judgment of the Church on it.”*

The principles enunciated in points 1 (stability) and 2 (cessation of laws that become harmful) are found in approved commentaries on the Code of Canon Law.

If the application of these principles were indeed inconsistent with the virtue of obedience owed to lawful authority, these commentaries would never have received ecclesiastical approval.

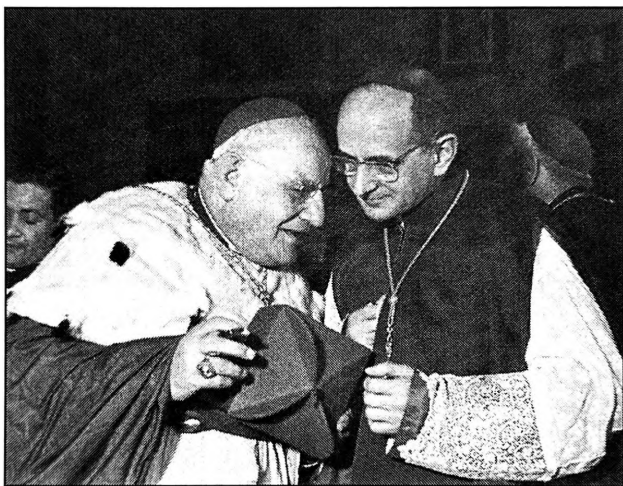
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That said, all the foregoing questions assume that the *sole* principle that must determine how traditional priests perform the liturgy is the liturgical legislation of “the last true pope.”

But this is not as simple as it sounds, because before a priest can maintain that the Pius XII legislation alone is legally binding, he must first demonstrate conclusively that John XXIII and Paul VI (at least before the end of 1964) were not true popes.

Until he does so, he must consider himself bound by all the John XXIII changes – “legally binding” is your principle, remember – as well as all the early Paul VI changes.

(Among the early Paul VI changes are the following: At Mass the priest never recites texts that the choir sings, bits of the Ordinary are sung or recited in English, the Secret is said aloud, the



“Per Ipsum” at the end of the Canon is recited aloud, the “Libera Nos” is recited aloud, “Corpus Christi/Amen” is used for the people’s communion, the Last Gospel is suppressed, Scripture readings are proclaimed in the vernacular alone and facing the people, lay lectors/commentators assist the priest, the “Pater Noster” is recited in English, etc.)

In the case of both Roncalli and early Montini, a putative legislator was “in possession.” If observing the liturgical legislation of “the last true pope” is supposedly the golden norm for traditional Catholic worship, shouldn’t Father then follow the “safer course” by chopping up the Mass and training the lectors, just in case?

Since the “last true pope” principle leads to other problems,

what then?

The answer is simple: Follow the liturgical rites that existed before the modernists started their tinkering.

We traditionalists endlessly reaffirm our determination to preserve the *traditional* Latin Mass and the Church's liturgical *tradition*. To my way of thinking, it makes no sense whatsoever to preserve the liturgical "tradition" of Holy Week ceremonies invented in 1955, transitional Breviary rubrics, and "reforms" that lasted for all of five years.

The Catholic liturgy we seek to restore should be the one redolent of the fragrance of antiquity – not the one reeking with the scent of Bugnini.

VATICAN II IS OBLIGATORY

And... It is Heresy

Rev. Anthony Cekada

January 2006

Note: The following is a letter to the editor of The Remnant, written in response to Christopher Ferrara's attempt to refute my article "Resisting the Pope, Sedevacantism and Frankenchurch" (November 2005). The Editor, Michael Matt, refused to print it.

* * * * *

To the Editor, *The Remnant*:

A few comments are in order on Christopher Ferrara's November 30, 2005 "Closing Arguments" against sedevacantism in general and my "Frankenchurch" article in particular:

1. Is Vatican II Obligatory?

Mr. Ferrara maintains that Vatican II's teachings are not binding where they contain "novelties" not conforming to what was taught "everywhere, always, and by everyone" (St. Vincent of Lerins' formula). This principle, he says, demonstrates that they are **not** universal ordinary magisterium. Paul VI, Mr. Ferrara adds, "expressly" excluded Vatican II's teaching from falling under "the charism of infallibility."

(a) We are back to Mr. Ferrara's (and SSPX's) cardboard pope theology. The (supposed) Vicar of Christ and the bishops of the world promulgate teachings and laws. Jersey lawyers (that word again!), excommunicated bishops and, well, anyone at all, get to pick which teachings and which laws are binding. Welcome to the magisterium as Country Buffet.

(b) The reading of St. Vincent's dictum that Mr. Ferrara

and SSPX promote – you’re not bound by **anything** a live pope or council teaches, unless it conforms to “tradition” (as understood by lawyers, excommunicates and sundry layfolk) – is dead wrong.

In a lengthy article, the pre-Vatican II theologian G. Bardy demolished this theory, because the right “to fix and define authentic tradition - - **belongs to the Church**, as inheritor of apostolic succession.” Without this, St. Vincent’s dictum “**appears to leave each individual free to seek out which dogmas are accepted everywhere, always and by everyone,**” thus leaving “**to personal choice the right to judge in the last resort.**”

This, Canon Bardy noted, was the error of the Gallicans and of the proto-modernist Döllinger (later excommunicated), who opposed papal infallibility at Vatican I. (*Dictionnaire de Théologie Catholique* 15:3051)

(c) To support his contention that the “novelties” of Vatican II are not universal ordinary magisterium and therefore not binding, Mr. Ferrara quotes Paul VI’s January 12, 1966 audience: “In view of the pastoral nature of the Council, it avoided proclaiming in an extraordinary manner any dogma carrying the mark of infallibility.”

This proves nothing. “Extraordinary” refers to **solemn** dogmatic definitions, which everyone agrees Vatican II did not make.

But then we discover that Mr. Ferrara (whether through dishonesty or carelessness) has left out the rest of the sentence:

but it [Vatican II] nevertheless endowed its teachings with the authority of the supreme ordinary magisterium, which ordinary (and therefore obviously authentic) magisterium must be docilely and sincerely received by all the faithful, according to the mind of the Council regarding the nature and scope of the respective documents.

Ahem!

If you accept Paul VI as a true pope, therefore, Vatican II is part of the *universal ordinary magisterium*. As a Catholic,

you are then **bound** to adhere to it. And that was my point.

Still not convinced? Here is the typical formula at the end of each Vatican II document: “Each and every matter declared in this Dogmatic Constitution the Fathers of this Sacred Council have approved. And We by the Apostolic Authority handed down to Us from Christ, together with all the Venerable Fathers, in the Holy Ghost approve, decree and establish these things; and all things thus synodally established, We order to be promulgated unto the glory of God - - I, Paul, Bishop of the Catholic Church.” There follow the signatures of the rest of the Fathers. (AAS 57 [1965], 71)

What part of “Apostolic Authority,” “Holy Ghost” and “rest of the Fathers” don’t you understand?

Bottom line: The doctrinal buffet is now closed. If Paul VI was a true pope, there’s only one dish on your menu: Vatican II.

2. Is Frankenchurch Heresy?

In part II of his series, Mr. Ferrara challenged me: “Show us the heresy!”

Well, I showed him the definition for heresy (canon 1325), its three-fold distinction (citing Michel), the type of doctrine that must be denied (Michel), how such a doctrine must have been proposed (Michel), the types of terms and propositions that constitute a denial (Schultes, Michel), the requirements for pertinacity (Michel), sample propositions of the Frankenchurch heresy (nineteen examples, including ones from the JP2 Code and Catechism), the article of the Creed Frankenchurch denies (I believe in one Church), how the Magisterium understands this article (nine papal texts, one from de Groot), and finally, how the principles on pertinacity apply to the post-Conciliar popes (Michel, Cardinal Billot).

Against this, the best Mr. Ferrara comes up with is a footnote from *Dominus Jesus* giving a supposedly “authentic” interpretation of the word “subsists” in *Lumen Gentium*. Very interesting. However:

(a) Why should we suddenly be bound by a *footnote* in a

curial declaration if, under the Ferrara hermeneutic, even all that a *Council* teaches is up for grabs?

(b) This leaves Mr. Ferrara eighteen remaining Frankenchurch propositions to reconcile with nine quotes from pre-Vatican II popes (the tip of the iceberg) and just about any pre-Vatican II ecclesiology treatise picked randomly off the shelf. Good luck.

I showed you the heresy, Mr. Ferrara. Now show me the orthodoxy.

Finally, Mr. Ferrara is annoyed that I mentioned he is a lawyer – a “below-the-belt” debating tactic, he says.

Hardly. There are honorable lawyers and there are shifty ones. But the glib tricks of the latter are the essence of Mr. Ferrara’s method: The endless stream of words, a near-total absence of serious research, shoddy citations, dozens of “questions” intended to overwhelm, red herring issues, and here, several disingenuous claims that I “failed to mention” or “prove” points. Right. And Mr. Ferrara failed to mention I was given a 3000-word limit.

So, to Mr. Ferrara’s statement that I “promoted” him from windbag to scrappy lawyer, my response is: Hey, who said it was a promotion?

THE LEGAL STATUS OF SSPX AND ITS FORMER MEMBERS

What Type of Organization is SSPX? Do Priests
Who Leave It Become Public Sinners?

Rev. Anthony Cekada

August 23, 2006

QUESTION: *The Rev. Peter Scott was recently asked, "What is one to think of priests who have left the Society of St. Pius X?" Fr. Scott gave a variety of reasons for condemning such priests, including the following:*

- 1) *The "engagements" which priests make when joining the Society are "not in any way essentially different" from the vows one takes to join a religious order.*
- 2) *These engagements bind members to SSPX "under pain of mortal sin, just as a religious is bound by his vow of obedience."*
- 3) *Priests who leave SSPX after making a "perpetual engagement" are "public sinners" and are to be equated with "a married person who has broken his vows and fallen into adultery." One may not receive sacraments from such priests "except in danger of death."*
- 4) *Priests who have made "temporary engagement" in SSPX are morally bound to join a diocese "or another religious community."*
- 5) *A priest who leaves SSPX has also broken the "public vow of obedience" included in the ordination ceremony.*
- 6) *Such a priest also violates the pre-ordination Oath of Fidelity prescribed by canon law, and becomes "a hypocrite and a public sinner."*
- 7) *An SSPX priest makes a "declaration of fidelity" to the "positions of the Society" (on the pope, New Mass, John XXIII Missal, etc.), declaring his desire to "show the obedience binding me to my superiors, as also the obedience binding me to the Roman Pontiff in all his legitimate acts," so that no priest can leave SSPX if he becomes a sedevacantist, etc.*
- 8) *And that for all the foregoing reasons, priests who have left SSPX "are to be avoided at all costs."*

What is your opinion of Fr. Scott's reasoning?

REPLY: Father Scott's starting point for all these condemnations is a hidden assumption: that the Society of St. Pius X enjoys the canonical status of a "society of the common life without vows" – an entity in canon law akin to a religious order. (Familiar examples of such societies include the Maryknoll Fathers, the Paulist Fathers, and the Oratorians.)

Joining such a society brings with it canonical obligations (Fr. Scott's argument goes), and so by abandoning SSPX, a priest violates these obligations, becomes a public sinner, etc., etc.

Well, as regards canon law, at least, Fr. Scott is living in fantasyland.



François Charrière, Bishop
of Fribourg 1945-1970

1. What Is SSPX? Just what kind of canonical entity is SSPX? Is it indeed something like the Maryknollers or the Paulists? We need only look back to its foundation.

On November 1, 1970, the Bishop of Fribourg, Switzerland issued a Decree establishing "The International Priestly Fraternity of St. Pius" as a "pious union" (*pia unio*), whose stated purpose was to form priests and re-distribute clergy to places where they were needed, in conformity with the Vatican II Decree on

Priestly Formation, *Optatum Totius*.

In the Code of Canon Law, a pious union is simply an approved association of the faithful – laymen or clerics – engaged in some pious or charitable work (canon 707).

Some familiar examples of pious unions: The Confraternity of Christian Doctrine (teaches catechism), the St. Vincent de Paul Society (charitable work with the poor), and the Near East Society (supports poor Catholic clergy in the Near East). The rules for these organizations tend to be very sim-

ple; they are easy to join and easy to resign from.

Obviously, the devout ladies who teach CCD to the public school kiddies and the affable old Vincent de Paul grandpas who collect clothing for the poor don't belong to a church organization on the same canonical plane as the Maryknoll Missioners or the Paulist Fathers.

And it takes only five minutes of research to confirm this impression with other evidence, as well: The Code of Canon Law treats societies of the common life without vows in its section on *religious orders* (Book II, Part 2, cc. 673-81). *Pious unions*, on the other hand, *the Code treats in its section on the laity* (Book II, Part 3, cc. 707-719).

Nor is this all: A pious union, it turns out, is the lowest creature in the ecclesiastical food chain. It is not merely classified under "Laity" – canon 701 puts it *dead last in order of precedence*. Thus even Third Order Sodalities (lay Carmelites, Franciscans, etc.) and Archconfraternities (Rosary, Blessed Sacrament) outrank a pious union.

How likely is it that member who leaves such an organization incurs all the blood-curdling canonical and moral consequences that Fr. Scott summons up?

2. What Rules Bind Members? In any religious institute recognized by the Church – be it an order, a congregation or a society – *rules and constitutions set forth the obligations a member assumes through his vows or promises*. These laws obtain binding force only after they receive official approval from an ecclesiastical authority possessing ordinary jurisdiction – either the Diocesan Bishop or the Pope, acting through the Roman Congregations.

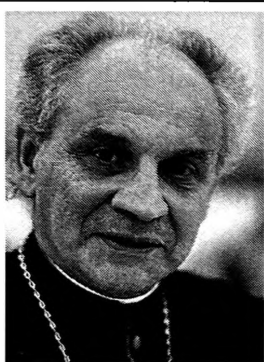
Which set of laws supposedly created the obligations for members of the Society of St. Pius X, and how did these laws obtain their binding force?

In 1970 the Society submitted its proposed Statutes to the Bishop of Fribourg. In his Decree of Foundation, the Bishop approved these Statutes for an experimental period of six years. They would then be renewable for another six years. After this, the Decree provided, SSPX could become defini-

tively established, either in his diocese or by the competent Vatican Congregation.

There was not much to the 1970 Statutes. They consisted of about two-dozen pages of exhortations, typewritten and double-spaced – everything from “the tabernacle shall be their television” to limited opportunities for *Novus Ordo*-style concelebration. Such a document was entirely consistent with the nature of the organization the Bishop of Fribourg was establishing – not a Maryknoll-like society, but a pious union.

In 1975, however, before the six-year experimental period expired, the Bishop of Fribourg withdrew his approval of SSPX.



Pierre Mamie, Charrière's successor as Bishop of Fribourg in 1970-1995

At the time there was a great deal of debate over whether the Bishop of Fribourg followed the correct procedures. Archbishop Lefebvre subsequently launched various canonical appeals. But the appropriate Vatican congregations and Paul VI himself upheld the suppression.

If, like SSPX, you maintain that Paul VI was indeed a true pope, he was the final court of appeal and had the right and the power to declare the Society suppressed.

With that the few obligations set forth in the 1970 Statutes would have lost their power to bind members of the Society. *Roma locuta est. Causa finita est.*

Time up. Game over. End of story.

Despite this, in 1976 the SSPX General Chapter adopted a *new* set of Statutes. These were not much longer or more detailed than the 1970 version. (The “television” stayed, the concelebration was dropped.)

The 1976 Statutes, needless to say, did *not* receive the approvals from the diocesan bishops that canon law would have required to make them valid and binding for the members of the organization. Without such approvals, the 1976

Statutes were canonically null.

It is therefore absurd for Fr. Scott to claim that priests who leave SSPX commit sin. The organization was suppressed, the statutes it subsequently adopted were invalid, and its superiors have no canonical or moral power to bind anyone to anything.

3. “Engagement” Equals “Vow”? It is ridiculous for Fr. Scott to equate “engagement” in the SSPX with the public vows made by members of a religious order. Canon 1308 says that only a vow “received in the name of the Church *by a legitimate ecclesiastical superior*” is a public vow. Without this, a vow is considered private – no matter how many people are present when you make it.

By no stretch of the imagination could one say that the “engagements” of SSPX members are received by a “legitimate ecclesiastical superior.”

And where did Fr. Scott get this notion of equating an “engagement” to a public vow anyway? In Naz’s seven-volume *Dictionary of Canon Law*, you will not even find an *entry* for this term. How could its non-observance turn the disengaged into the equivalent of adulterers?

By the mid-1980s, there were about fifty priests who had made engagements in SSPX and then left. How many are there by now? 600? “Spiritual adulterers” all?

4. A Simple Enrollment. The actual engagement formula used by the SSPX when I joined was: “I N.N. *give my name* into the Fraternity of St. Pius X.”

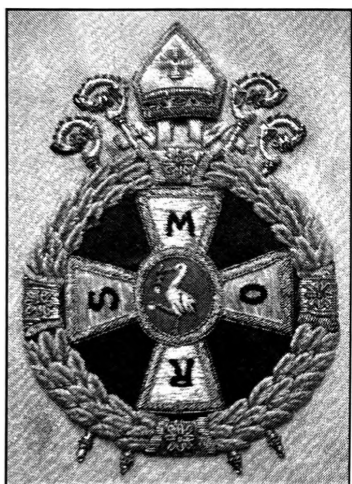
This language is merely an *enrollment*, and was completely consistent with the nature of a pious union: “I give my name” – call me for help teaching that CCD First Communion Class, put me on your list for collecting clothes and working in the St. Vincent de Paul soup kitchen.

Easy in, easy out – like joining the Sacred Heart Auto League.

5. Rules, Rights, Obligations. A *real* vow or promise in a ca-

nonically approved religious institute, however, mentions *the rule and constitutions by which you agree to be bound* – and these are usually several hundred pages long. All these carefully written laws and regulations prevent religious institutes from becoming dictatorships, because they circumscribe very carefully the powers of the superiors, limit their terms, and protect the individual subject's rights.

Before I entered SSPX, I belonged to a *real* religious order, the Cistercians. The obligations I assumed with my vows were absolutely clear – set forth in detail and at great length in the Rule of St. Benedict, the General Constitution of the Order, the Constitutions of the Congregation of Zirc,



and other lesser statutes. So too, were my rights as a member (right down to the daily tobacco allowance) and the obligations of my superiors to respect those rights.

SSPX has nothing at all like this. In the practical order, all power resides in the Superior General – like some sort of ecclesiastical Idi Amin, minus the man-eating crocodiles.

Get on the wrong side of the powers-that-be in SSPX – by any independent thinking, say, or by adhering to some theological principle that contradicts the Society's party line *du jour* – and it's malaria shots, a white cassock, and the one-way ticket to Mumbai for you, *Monsieur l'abbé*.

6. Imposing Oaths and Declarations. Finally, a canonically non-existent organization has *no* power to impose canonical or moral obligations on its members based on the canonical Oath of Fidelity.

And not even the 850-year-old religious order in which I professed vows would have presumed, like SSPX, to impose on me a "declaration of fidelity" to its "positions" as a condition for ordination. The only "positions" members of the Order

were required to accept were the teachings of the Church.

* * * * *

So, from beginning to end, each “obligation” that Fr. Scott has used to condemn priests who left SSPX is pure invention – the product of SSPX’s creation myth.

The concepts I employed above to deal with Fr. Scott’s fantastic claims can be found even in the most dumbed-down vernacular canon law manuals. Doesn’t anyone in SSPX ever do *any* research?

And this brings up a larger question: Members of SSPX like Fr. Scott keep on repeating the same old tall tales and ignorant arguments – about the Society’s foundation, the “illegal” promulgation of New Mass, the “canonized” Tridentine Mass, the “non-obligatory” character of Vatican II, the pope as “bad dad,” out-of-context and distorted “resistance” quotes, “operation survival,” “illegal” excommunications, etc. – long after such notions have been repeatedly debunked with quotes from canonists, theologians, historians and popes.

It is perhaps for this reason that a cardinal once sarcastically dismissed the Society of St. Pius X as “*Port-Royal sans intelligence*” – Jansenism without the brains.

You would think that an organization that professes dedication to preserving Catholic doctrine would at least *occasionally* jettison positions that are shown to be irreconcilable with principles of theology and canon law.

But no. In the nearly forty years of the Society’s existence, despite *all* the priests it has ordained and *all* the resources at its disposal throughout the world, this never seems to have happened. The Society’s “positions” are still the same, stagnant theological swamp – a huge protected wetlands where no new development is ever permitted and where the same decrepit creatures forever roam in the dark.

Don your hip boots, all ye who enter there!

ABSOLUTELY NULL AND UTTERLY VOID

The 1968 Rite of Episcopal Consecration

Rev. Anthony Cekada

March 25, 2006

"Once there are no more valid priests they'll permit the Latin Mass."

- Rev. Carl Pulvermacher OFMCap
Former Editor, The Angelus

"Keep the shell, but empty it of its substance."

- V.I. Lenin

In the 1960's Catholics who were upset by the post-Vatican II liturgical changes had already begun to worry whether sacraments conferred with the reformed rites were valid. A defining moment in the United States came in 1967 when Patrick Henry Omlor published the first edition of his study, *Questioning the Validity of Masses using the All-English Canon*, a work that, even before the promulgation of the Novus Ordo in 1969, galvanized the then-tiny traditionalist resistance.

As the modernist "reformers" overhauled the other sacramental rites – Confirmation, Penance and Extreme Unction – traditionalists questioned the validity of these sacraments as well, and sought out priests who offered the traditional Mass and used the old rites.

Holy Orders was the one sacrament that traditionalists did not seem to worry about. Sure, there were no vocations. But since few laymen had ever even *seen* an ordination – still less knew what made an ordination valid – how or whether the liturgical changes affected the validity of Holy Orders was a topic that went unexamined.

I encountered the issue by chance during my first year (1975-76) at the Society of St. Pius X (SSPX) seminary at Ecône, Switzerland. I went to ask **Archbishop Marcel Le-**

febvre about whether conservative friends from my former seminary could work with the Society after ordination. He told me yes, in principle, but they would need to be conditionally ordained first, because Paul VI had changed the rite for Holy Orders.

The Archbishop explained that the new form (essential formula) in the rite for priestly ordination was doubtful because one word had been subtracted. The **new form for episcopal consecration**, the Archbishop continued, was *completely* different and thus **invalid**.

Despite the gravity of the question, only a few traditionalist writers examined the post-Vatican II ordination rites,¹ even after Tridentine Indult Masses started to multiply. Increasingly, these were offered by priests ordained by bishops consecrated in the new rite, and belonging to groups such as the Fraternity of St. Peter. If their ordaining bishops were invalidly consecrated, the sacraments these priests conferred would likewise be invalid.

After **Benedict XVI** was elected in 2005, however, the issue resurfaced. Joseph Cardinal Ratzinger, appointed an Archbishop and Cardinal by Paul VI, had been **consecrated with the new rite** on May 25, 1977. Was he, apart from the *sede vacante* controversy, even a **real bishop**?

In the summer of 2005, a French traditionalist publisher, **Editions Saint-Remi**, published the first volume of *Rore Sanctifica*,² a book-length dossier of documentation and commentary on the Paul VI Rite of Episcopal Consecration. The study, featuring on its cover side-by-side photos of Ratzinger and SSPX Superior General Mgr. Bernard Fellay, concluded that the new rite was invalid.

This naturally caught the attention of higher-ups in the **SSPX** in Europe, who were by then negotiating with Benedict XVI to obtain special status in the Vatican II church.

¹ The only widely-circulated study in English I know of is R. Coomaraswamy, "The Post-Conciliar Rite of Holy Orders," *Studies in Comparative Religion* 16.2-2. (1984)

² *Rore Sanctifica: Invalidité du Rite de Consécration Épiscopale de 'Pontificalis Romani'* (Editions Saint-Remi 2005). rore-sanctifica.org

How could SSPX's superiors rally traditionalists to a pope who may not even be a bishop?

The Dominicans in Avrillé, France, a traditionalist religious order in the SSPX orbit, immediately took up the task of trying to make a convincing case for the validity of the new rite. One of them, **Fr. Pierre-Marie OP**, produced a lengthy article in favor of it that the Dominicans published in their quarterly, *Sel de la Terre*.³

Thilo Stopka, a former SSPX seminarian in Europe, challenged Fr. Pierre-Marie's conclusions, and in turn published a great deal of valuable research on the Internet to refute them.

Meanwhile, the SSPX's official U.S. publication, **The Angelus**, promptly translated Fr. Pierre-Marie's article into English, publishing it in two successive issues (December 2005, January 2006) under the title "Why the New Rite of Episcopal Consecration is Valid."

I find it ironic and particularly sad that such an article appeared in *The Angelus*. In August 1977 I visited an old-line traditionalist in Upper Michigan, Bill Hanna. He passed along a favorite quote from Fr. Carl Pulvermacher, a Capuchin who worked with SSPX and would later edit *The Angelus*: "Once there are no more valid priests, they'll permit the Latin Mass."

Father Carl, it seems, had a bit of the prophet in him.

In his *Angelus* article, Fr. Pierre-Marie argued that the Paul VI Rite of Episcopal Consecration is valid because it uses prayers to consecrate bishops that are virtually the same as those (a) used in the Catholic Church's eastern rites, or (b) once used in the ancient Church.

Please note: Paul VI made these *same two claims* when he promulgated the new consecration rite in 1968, and both are demonstrably false. It is appalling that the SSPX superiors recycled them to market the validity of that same rite to an unsuspecting traditionalist laity

To support this argument, Fr. Pierre-Marie offered seve-

³ *Sel de la Terre* 54 (Fall 2005), 72-129.

ral tables that compare various Latin texts. These we will discuss in an appendix.

As for the rest of his article, most readers probably came away from it utterly baffled. For although Fr. Pierre-Marie said he would “proceed according to the Scholastic method so as to treat the matter as rigorously as possible,” he never managed to focus clearly on the two central questions:

- 1) What principles does Catholic theology employ to determine whether a sacramental form is valid or invalid?
- 2) How do those principles apply to the new rite of episcopal consecration?

We will answer both questions here, and draw the appropriate conclusions. Our discussion may be a bit technical at times – so I have provided a summary (sect. 11) to which a reader may skip if he gets too bewildered by talk of Copts, Maronites, Hippolytus and the mysterious *governing Spirit*.

1. Principles to Apply

Primarily for the benefit of lay readers, we will review some principles that are used to determine whether a sacramental form is valid. The concepts are not complicated.

a. What is a Sacramental Form?

In catechism class we all learned the definition of a sacrament: “An outward sign, instituted by Christ to give grace.”

“Outward sign” in the definition refers to what we *see* and *hear* when a sacrament is conferred – the priest pours the water on the baby’s head and he recites the formula “I baptize you,” etc.

Catholic theology teaches that in every sacrament this outward sign consists of two elements joined together:

- **Matter:** some thing or action your senses can per-

ceive (pouring water, bread and wine, etc.)

- **Form:** the words recited that actually produce the sacramental effect (“I baptize you...” “This is My body...,” etc.)

Each sacramental rite, no matter how many other prayers and ceremonies the Church has prescribed for it, contains at least *one* sentence that either Catholic theologians or authoritative Church pronouncements have designated as its essential *sacramental form*.

b. Omitting the Form

All Catholics know verbatim at least *one* essential sacramental form: “I baptize you in the name of the Father, and of the Son, and of the Holy Ghost.”

If at a baptism, the priest says *all* the other prayers and performs *all* the other ceremonies, but omits this one formula when he pours the water, the sacrament is invalid (does not “work”), the grace promised by Christ is not conferred and the baby is not baptized.

This much should be obvious.

c. Changes in the Form

But another question arises: What if the wording of a sacramental form is *changed*? How does this affect validity?

The answer depends on whether a change in *meaning* also results. Theologians distinguish between two types of change:

(1) **Substantial** (*Meaning changed = invalid*.)

This occurs “when the meaning of the form itself is corrupted - - if the words would have a meaning different from that intended by the Church.”⁴ Or put another way: If the form “is changed in such a way that the meaning intended

⁴ H. Merkelbach, *Summa Theologiæ Moralis* 8th ed. (Montreal: Desclée 1949) 3:20. “Quando ipse sensus forma corrumpitur - - habeat sensum diversum a sensu intento ab Ecclesia.”

or willed by Christ is no longer completely and congruently expressed through it.”⁵

A substantial change in a sacramental form is introduced through *adding, omitting, corrupting, transposing, or exchanging* words in the form, or by interrupting them in such a way that the form no longer retains the same sense.⁶ Here are two examples:

- *Corruption of words:* A modernist priest says: “I baptize you in the name of the *Mother*, and of the Son...” He has introduced a new word that changes the *meaning* of one of the essential elements of the form – Father. The baptism is invalid.⁷
- *Omission of words:* A nervous young priest who has not memorized the form says: “I baptize in the name of the Father, and of the Son...,” omitting the word *you*. Or alternately, he says the word *you*, but omits the word *baptize*. Since a sacramental form must express in some way who is *receiving* the sacrament as well as the *sacramental action* itself, omitting the *you* or the *baptize* changes the meaning and renders the form invalid.⁸

(2) *Accidental (Meaning same = still valid.)*

This is a change that does *not* alter substantial meaning.

Example: Instead of saying “I baptize you...,” the priest says “I *cleanse* you in the name of the Father...” Because he has merely substituted an exact sy-



⁵ M. Coronata, *De Sacramentis* (Turin: Marietti 1953) 1:13. “modificatur ita ut sensus a Christo intentus seu volitus non amplius per ipsam complete et congruenter exprimatur.”

⁶ F. Cappello, *De Sacramentis* (Rome: Marietti 1951) 1:15.

⁷ Cappello 1:15, “forma irrita est, si nova vox ex corruptione in substantialibus inducatur.”

⁸ Cappello 1:15, “detractio: forma irritatur, si tollantur verba exprimentia actionem sacramentalem aut subjectum.”

nonym for one of the words in the form ("baptize" is Greek for "cleanse"), the meaning remained the same. The change was therefore only accidental. The baptism was valid.⁹

This distinction between a *substantial* and an *accidental* change will be a key concept in examining the validity of the 1968 form of episcopal consecration. If the new form constitutes a *substantial* change in meaning, it is invalid.

d. Using an Eastern Rite Form

The forms the Eastern Rites of the Catholic Church use to confer sacraments sometimes differ greatly in wording from those the Latin Rite uses. But the substantial meanings are always the same.

Example: The Ukranian Rite uses the following form for Baptism: "The servant of God N. is baptized in the name of the Father, and of the Son, and of the Holy Ghost. Amen."¹⁰

This preserves each concept that theologians say must appear in a valid form for baptism: the minister (at least implicitly), the act of baptizing, the recipient, the unity of the divine essence, and the Trinity of persons expressed under distinct names.¹¹

In the case of an Eastern schismatic group that has submitted to the pope, moreover, the Church has examined the prayers and ceremonies of its sacramental rites to insure that they were free from doctrinal error and contained everything necessary for conferring true sacraments.

So, if a bishop or priest confers a sacrament using a sacramental form identical to one contained in a duly-approved Eastern Rite ritual book, one can be certain that the sacrament will be valid.

This principle will figure in our discussion as well, because Fr. Pierre-Marie bases much of his argument for the

⁹ E. Regatillo, *Jus Sacramentarium* (Santander: Sal Terræ 1949), 8. "Transmutatione, adhibitis verbis synonymis: si sint omnino synonyma et usu communi recepta, forma valet."

¹⁰ Quoted Cappello 1:777.

¹¹ See Merkelbach 3:127.

validity of the new rite on elements supposedly common both to Eastern Rite episcopal consecration forms and the new form of Paul VI.

It was also this same claim by Father Franz Schmidberger – the new form was “Eastern Rite” – that led Archbishop Lefebvre to abandon his original position that the new rite of episcopal consecration was invalid.¹²

e. Requirements in a Form for Holy Orders

What specifically are we looking for in the new rite of episcopal consecration? What must the words of a form for conferring Holy Orders express?

Pius XII, in his Apostolic Constitution *Sacramentum Ordinis*, laid down the general principle when he declared that for Holy Orders these must “univocally signify the sacramental effects – that is, the power of the Order and the grace of the Holy Ghost.”¹³

Note the two elements that it must univocally (i.e., unambiguously) express: the *specific order* being conferred (diaconate, priesthood or episcopacy) and the *grace* of the Holy Ghost.

So we must therefore ascertain whether the new form is indeed “univocal” in expressing these effects.

f. Episcopal Consecration in Particular

In the same document, having laid down a general principle, Pius XII then declared that the following words, contained

¹² Bishop Donald Sanborn relates the following: In an early 1983 conversation with the Archbishop and Fr. Schmidberger over the SSPX/Vatican negotiations then taking place (*plus ça change...*), he asked how the Society could accept any solution *at all*, since the Archbishop had told us many times that he considered the new rite of episcopal consecration invalid. The Archbishop replied, “Apparently, it is valid,” and made a gesture for Fr. Schmidberger to speak, who then said, “It’s Eastern Rite.”

¹³ Const. Apost. *Sacramentum Ordinis* (30 November 1947), DZ 2301. ¶4. “quibus univoce significantur effectus sacramentales – scilicet potestas Ordinis et gratia Spiritus Sancti.”

in the consecratory Preface for the Rite of Episcopal Consecration, were the essential sacramental form for conferring the episcopacy:

Complete in thy priest the fullness of Thy ministry, and adorned in the raiment of all glory, sanctify him with the dew of heavenly anointing.¹⁴

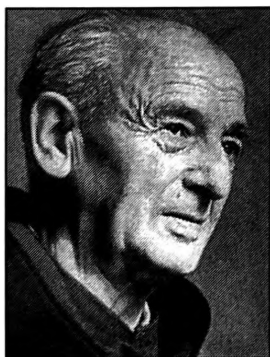
This form univocally signifies the sacramental effects as follows:

- 1) “The *fullness* of Thy ministry,” “raiment of *all* glory” = power of the Order of episcopacy.
- 2) “The dew of heavenly anointing” = grace of the Holy Ghost.

The question is whether the new form does the same.

2. Origin of the New Rite

In 1964 Paul VI entrusted implementing the liturgical changes prescribed by Vatican II to a new Vatican agency known as the “Consilium.” This organization was composed of several hundred clergymen, divided according to their areas of expertise into thirty-nine “study groups.” The Secretary of Consilium and its real head was Fr. Annibale Bugnini, a liturgical modernist and alleged Freemason, who had written the Council’s *Constitution on the Sacred Liturgy*.



Study Group 20 had the task of “re-forming” the rites for Holy Orders. Its head was the Benedictine monk Dom Bernard Botte (1893-1980), a specialist in Oriental liturgical languages and another liturgical modernist.

¹⁴ *Sacr. Ord.* DZ 2301. ¶5. “Comple in Sacerdote tuo ministerii tui summam, et ornamentis totius glorificationis instructum cœlestis unguenti rore sanctifica.”

His most famous academic achievement was a new scholarly edition of *The Apostolic Tradition of St. Hippolytus*, a collection of ancient Christian liturgical texts.¹⁵ One of these would become the New Mass's Eucharistic Prayer II – minus its original references to the devil, hell, the salvation of just believers alone, and the sacrificing priest.

Dom Botte proposed that another text from this same collection be introduced into the Rite of Episcopal Consecration to replace the traditional consecratory Preface. The old Preface, he said, had “poor doctrinal content,” was oriented “almost exclusively towards the bishop's liturgical role,” was a “hybrid formula, poorly balanced.”¹⁶ Something was needed that better expressed the theology of Vatican II.

The prayer for episcopal consecration from Hippolytus, said Dom Botte, survived in “more evolved” versions in the Syrian and Coptic Eastern Rites. Used in the Roman Rite, he said, it also “would affirm a unity of outlook between East and West on the episcopacy” – i.e., thrill the eastern schismatics, who also used these rites. “This was an ecumenical argument. It was decisive.”¹⁷

So Botte's text, lifted nearly verbatim from his 1963 work, became the new Preface for Episcopal Consecration when Paul VI promulgated it in June 1968.¹⁸

3. The Paul VI Form

Paul VI designated the following passage in the Preface as the new form for the consecration of a bishop:

So now pour out upon this chosen one that power which is from you, the governing Spirit whom you gave to your beloved Son, Jesus Christ, the Spirit given by him to the holy apostles, who

¹⁵ *La Tradition Apostolique de Saint Hippolyte: Essai de Reconstitution*, 2nd ed. (Munster: Aschendorff 1963).

¹⁶ B. Botte, “L'Ordination de l'Évêque,” *Maison-Dieu* 97 (1969), 119-20.

¹⁷ B. Botte, *From Silence to Participation: An Insider's View of Liturgical Renewal* (Washington: Pastoral 1988), 135.

¹⁸ Apostolic Constitution *Pontificalis Romani* (18 June 1968), AAS 60 (1968), 369-73.

founded the Church in every place to be your temple for the unceasing glory and praise of your name.¹⁹

The dispute over the validity of the new Rite of Episcopal Consecration centers on this passage.

At first glance, it does seem to mention the Holy Ghost. However, it does not appear to *specify* the power of Holy Order being conferred – the fullness of the priesthood that constitutes the episcopacy – that the traditional form so clearly expressed.

So, is this new form capable of conferring the episcopacy?

To answer that, we will apply the principles outlined in section one. We proceed from stronger arguments for validity to weaker ones.

4. An Eastern Rite Form?

Question: *Was the new form employed in a Catholic Eastern Rite as the sacramental form for conferring the episcopacy?*

If so, this would be the strongest evidence for arguing that the new form is valid. One could demonstrate that it therefore met the criteria Pius XII enunciated regarding the form for Holy Orders, because it would already be among the words “accepted and used by the Church in that sense.”²⁰

In his Apostolic Constitution promulgating the new rite, Paul VI says that new Preface for Episcopal Consecration is taken from *The Apostolic Tradition of Hippolytus* (a document we shall discuss in section 5), which continues to be used “in large part” for episcopal consecrations by two Catholic Eastern Rites in particular: the Coptic and the West Syrian.

And indeed on this basis, Fr. Pierre-Marie argued: “The utilization of the form that is in use in two certainly valid

¹⁹ ICEL translation. “Et nunc effunde super hunc Electum eam virtutem, quæ a te est, Spiritum principalem, quem dedisti dilecto Filio Tuo Jesu Christo, quem Ipse donavit sanctis Apostolis, qui constituerunt Ecclesiam per singula loca, ut sanctuarium tuum, in gloriam et laudem indeficientem nominis tui.

²⁰ *Sacr. Ord.*, DZ 2301, ¶4: “quæquæ ab Ecclesia qua talia accipiuntur et usurpantur.”

Eastern rites assures its validity.”²¹

But is the factual claim really true? Is the Paul VI form indeed in use in two Eastern Rites?

All one need do is (1) ascertain from theology books which Eastern Rite consecration prayers are considered the sacramental forms, (2) look up those texts, and (3) compare them with the Paul VI form.

Two general points immediately emerge to defeat the Eastern Rite argument:

(1) The sacramental form that Paul VI prescribed for conferring the episcopacy consists of merely one *sentence*. Eastern Rite forms, however, consist of a *whole* prayer, or even a *series* of prayers, several *hundred* words long.

So on the face of it, the Paul VI form – a mere 42 words long in Latin – *cannot* be described as a form “in use in two certainly valid Eastern Rites.”

(2) Nor could one even claim that the *entire* Paul VI Preface of Episcopal Consecration (212 words long in Latin) is somehow a form “in use in two certainly valid Eastern Rites.” The Preface does indeed contain *some* phrases found in Eastern Rite forms – but there are significant omissions and variations. It is still not *identical* to any one of them.

So on both counts, the new form cannot be among the words “accepted and used by the Church” as a sacramental form for Holy Orders.

Here are some of the details.

a. Coptic Rite Form?

This uniate group descends from Monophysite heretics (= Christ has only one nature), who, after the Council of Chalcedon (451) went into schism, led by the Patriarch of Alexandria, Egypt, and then went into a long decline. (See Appendix.)

By the 19th century, enough Copts had renounced their errors and submitted to the pope for the Holy See to organize them into their own uniate Rite.

²¹ “Why the New Rite...” (Jan 2005), 10.

In 1898 their Synod decreed that, for the three major orders in the Coptic Rite, “the form is the actual prayer which the ordaining bishop recites while imposing hands on the ordinand.”²² The 19th-century dogmatic theologian Heinrich Denzinger, best known for his *Enchiridion Symbolorum*, a collection of dogmatic texts, also published a collection of Eastern Rite liturgical texts, the *Ritus Orientalium*. In his lengthy introduction to this work, Denzinger further specifies that the sacramental form for episcopal consecration in the Coptic Rite “is the prayer *Qui es, Dominator, Deus omnipotens*, which in the ritual itself is called the [imposition-of-hands] prayer.”²³

Note the following:

- 1) This prayer is a Preface about 340 words long in a Latin version.²⁴ The Paul VI form is 42 words long. The two forms, therefore, cannot be equated.
- 2) This lengthy Coptic form mentions three specific sacramental powers considered *proper to the order of bishop alone*: “to provide clergy according to His commandment for the priesthood - - to make new houses of prayer, and to consecrate altars.”²⁵

Though the Paul VI Preface surrounding the new form contains many phrases found in the Coptic form (including “governing spirit,” which we shall discuss below), *these* phrases are missing.

²² Quoted Cappello 4:732. “In collatione trium ordinum majorum - - forma est ipsa oratio quam ordinans recitat, dum manus ordinando imponit.”

²³ H. Denzinger, *Ritus Orientalium, Coptorum, Syrorum et Armenorum* (Würzburg: Stahel 1863), hereafter “RO,” 1:140. “Apud Coptitias est oratio illa, *Qui es, Dominator, Deus omnipotens*, quæ in ipso rituale eorum dicitur oratio *cheirotónias*.”

²⁴ See RO 2:23-24. It is divided into two sections. According to the rubric in the footnote, the consecrating bishop continues to hold his hand imposed during the part following the interjection of the Archdeacon.

²⁵ Translation in O.H.E. KHS-Burmester, *Ordination Rites of the Coptic Church* (Cairo: 1985), 110-1. RO 2:24 renders the “provide clergy - - priesthood” phrase into Latin as: “constitutendi cleros (*kléros* Arabs: Clericos) secundum mandatum ejus ad sanctuarium,” giving “in ordine sacerdotali” in a footnote.

This omission is particularly significant, because the dispute over the validity of the Paul VI form revolves around whether it adequately expresses the power of the Order being conferred – i.e., episcopacy.

b. Maronite Rite Form?

In the 5th century, some Syrians became Monophysite heretics, and (like the Copts) went into schism after the Council of Chalcedon. These are also known as “Jacobites,” after Jacob Baradai, who was clandestinely consecrated a bishop in the 6th century and organized their movement.

Other West Syrians who opposed the Monophysites came to be called Maronites (after the monastery of St. Maro, their center). Most Maronites eventually settled in Lebanon and were known for their deep devotion to the Holy See.

The Maronites adopted some externals of the Roman Rite (vestments, altar style, etc.) but continued otherwise to follow the Rite of Antioch, one of the ancient patriarchal sees.

According to Denzinger, the form for the episcopacy in the Maronite Rite consists of the prayers: “*Deus qui universam Ecclesiam tuam per istos pontifices in manus impositione exornas*, etc., *Deus deorum et Dominus dominantium*.”²⁶

Comparing this with the Paul VI form reveals the following:

- 1) The Maronite form is a Preface at least 370 words long, interspersed with impositions of the bishop’s hand on the head of the candidate. It prays that the candidate receive the “sublime episcopal order,” with subsequent prayers twice begging God to “per-

²⁶ RO 1:141. “Apud Syros, Maronitas et Jacobitas, forma episcopatus ex Assemano est in illis duabus orationibus vel in eorum altera: Deus, qui universam Ecclesiam tuam per istos pontifices in manus impositione exornas, etc., Deus deorum et Dominus dominantium, quæ apud utrosque sequuntur, postquam episcopus manum impositam tenens dixerit: Etiam, [*sic*] Domine Deus etc.” The text Denzinger gives for the prayer in RO 2:195 actually begins with “Eia” rather than “Etiam.” The Maronites use both prayers.

fect” his grace and priestly ministry.²⁷ This form has *nothing* in common with the Paul VI form.

- 2) On a following page of the Maronite Rite for Episcopal Consecration, there is a prayer that has *some* phrases in common with the Paul VI form (e.g. “governing Spirit”) and Preface (“loose bonds”) but, even though it occurs in the ceremony, this is *not* the Maronite sacramental form.²⁸
- 3) The Maronite prayer that most closely resembles the Paul VI form and Preface of Episcopal Consecration is one found in the Rite for the Consecration of a Maronite Patriarch.²⁹ And indeed Fr. Pierre-Marie reproduces much of the text to support arguments for the validity of the new rite.

However, this *prayer is not a sacramental form for conferring the episcopacy*. It is merely an installation prayer, because the Maronite Patriarch is *already* a bishop when he is appointed.

c. Syrian Rite Form?

From the 17th-19th centuries, various Syrian Jacobite bishops, including even a Patriarch of Antioch, abjured their errors and submitted to the Holy See. In the 19th century the pope set up a Syrian Rite Catholic Patriarchate of Antioch headquartered in Beirut, Lebanon. (In the mid-20th century, many Syrian Rite Catholics lived in Iraq.)

The Syrians, like the Maronites, follow the Antiochene Rite, but there are some differences.

The form for episcopal consecration in the Syrian rite, according to Denzinger, consists of either the same prayers used by the Maronites, or another: “*Deus, qui omnia per po-*

²⁷ RO 2:195. “recipiat sublimem episcoporum ordinem.” RO 196-7: “perfice nobiscum gratiam tuam tuumque donum.” “perfice - - sacerdotale ministerium.”

²⁸ RO 2:198. “Spiritum - - Sanctum, illum principalem.” “expellat omnia ligamina.”

²⁹ RO 2:220.

tentiam tuam,”³⁰ recited after the Patriarch imposes his right hand on the ordinand’s head.

Once again, we compare this with the Paul VI form:

(1) The Syrian form is about 230 words long,³¹ versus 42 words in the Paul VI form. Again, it is not the same.

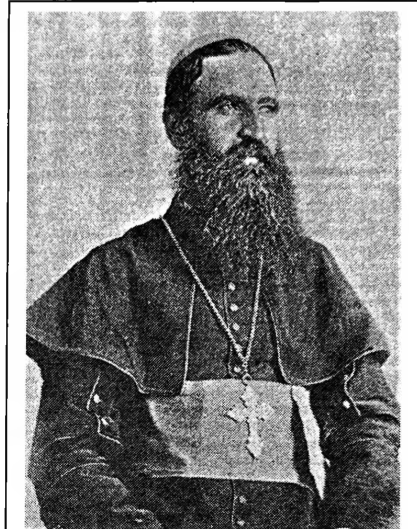
(2) In even greater detail than the Coptic form, the Syrian form enumerates specific sacramental powers considered proper to the order of bishop: May he “create priests, anoint deacons, consecrate altars and churches, bless houses, call forth vocations to ecclesiastical work.”³²

And once again, even though the Paul VI form and Preface contain *some* phrases present in the Syrian form (e.g., “governing - - Spirit,” “feed” [the flock], “loose bonds”), the *foregoing* expressions are *absent*.

(3) In the Syrian Rite as in the Maronite Rite, the prayer that most closely resembles the Paul VI form and Preface is the one used for “consecrating” a Patriarch.³³

Once again, however, it is not a *sacramental* prayer for consecrating a bishop, and this is clear from the following:

- The Syrian liturgical book prescribes the same order of service and prayers for consecrating a bis-



Mar Ignatius Dionysius Ephrem II Rahmani (1848-1929), Patriarch of the Syriac Catholic Church in 1898-1929. He moved the Patriarchal See from Turkey to Lebanon.

³⁰ RO 1:141. “In ordine autem nostro ex codice Florentino desumpto, non occurrit nisi hæc una: Deus, qui omnia per potentiam tuam.”

³¹ RO 2:97.

³² RO 2:97. “eo fine ut - - sacerdotes constituat, diaconos ungat: consecret altaria et ecclesias: domibus benedicat: vocationes ad opus (ecclesiasticum) faciat.”

³³ For the prayer instituting the Patriarch, see B. DeSmet, “Le Sacre des Éveques dans l’Église Syrienne: Texte,” *L’Orient Syrien* 8 (1963), 202-4.

hop and for consecrating the Patriarch, with but one change in the text. For the consecration of the Patriarch, the presiding bishop *omits* the prayer designated as the *form* for episcopal consecration (the prayer *Deus, qui omnia per potentiam tuam*), and substitutes “the Prayer of Clement,”³⁴ the text that resembles the Paul VI Preface.

- Two different terms in Syriac are used to distinguish the *sacramental* rite for the consecration of a bishop from the *non-sacramental* rite for the consecration of a patriarch. The first rite is called an “imposition of hands,” while the second is referred to with a term meaning “to confide or invest someone with a duty.”³⁵

A Syrian liturgist explains: “In the first case [episcopal consecration], the ordinand receives a charism different from the one he already possesses - - In the second, the Patriarch does not receive a charism different from the one he received at the time he was made a bishop.”³⁶

d. Not an Eastern Form.

³⁴ De Smet, 166-7. “Par le même rite de la chirotonie, c’est-à-dire, les mêmes prières et le même office avec lesquelles le patriarche lui-même sacre les métropolitains et les évêques, par ces mêmes rites ils le sacreront eux aussi - - il y a, dans le sacre du patriarche, trois éléments qui lui sont propres, à savoir: - - 2° L’invocation du Saint-Esprit, dont il est écrit de Clément, et que nous donnerons plus loin: *elle est dit uniquement sur le patriarche* par les pontifes qui l’établissent.” (My emphasis. The first and third elements are the election and the manner of giving the crozier.) The episcopal consecration form and the installation prayer appear successively on pp. 202-04, where it is easy to compare the difference in contents.

³⁵ G. Khouris-Sarkis, “Le Sacre des Évêques dans l’Église Syrienne: Introduction,” *L’Orient Syrien* 8 (1963), 140-1, 156-7. “Mais le pontificale - - fait une distinction entre la consécration conférée aux évêques et celle qui est conférée au patriarche - - et c’est pour cela que le pontificale appelle cette consecration ‘syom’ido d-Épiskûfé,’ imposition des mains aux évêques. The word used in the title of the ceremony for the patriarch, “Mettas°rhoneûto,” est l’action de confier une charge à quelqu’un, de l’en investir.”

³⁶ Khouris-Sarkis, 140-1. “Dans la première, l’élu reçoit un charisme différent de celui qu’il possédait déjà - - Dans le second, le patriarche ne reçoit un charisme différent de celui qu’il a reçu au moment où il a été créé évêque.”

We began this section with a question: *Was the new form employed in a Catholic Eastern Rite as the sacramental form for conferring the episcopacy?*

The answer is no, because:

- The Paul VI form is *not* identical to the Eastern Rite forms.
- In particular, the lengthy Eastern Rite forms mention either perfecting the priesthood or specific sacramental powers proper to a bishop alone (ordaining priests, etc.). The Paul VI form does not.
- In the Maronite and Syrian Rites, the prayer that most closely resembles the Paul VI consecration preface is not the *sacramental form* for conferring the episcopacy, but a *non-sacramental* prayer for installing a Patriarch, who is usually already a bishop when he is appointed.

So, one cannot argue that the Paul VI form is valid because it is in use as a sacramental form “in two certainly valid Eastern Rites.”

It is *not* among the words “accepted and used by the Church in that sense,” and there is no guarantee of validity on this basis.

5. Another Approved Form?

Question: *Was the new form employed as the sacramental form for conferring the episcopacy in some other rite in the past that enjoyed at least tacit approval from the Church?*

Such evidence, though not as strong a proof for validity as use in a Catholic Eastern Rite, would add at least *some* weight to the argument that the new form is valid.

Above, we mentioned that the Paul VI Preface for Episcopal Consecration was taken nearly verbatim from an ancient prayer for consecrating a bishop that appears in Dom Botte’s 1963 edition of *The Apostolic Tradition of St. Hippolytus*. It also has parallels in other ancient texts such as *The*

Apostolic Constitutions and the *Testament of the Lord*.

Fr. Pierre-Marie also employed these texts as evidence to argue that the new rite is valid.

How much certitude can we have that (1) these texts themselves were actual sacramental forms used to confer the episcopacy, and (2) they received at least tacit approval from the Church as such – that even in a broad sense they were “accepted and used by the Church in that sense”?

Alas, if by “certitude,” we mean the certitude Catholic moral theology requires for conferring or receiving a valid sacrament, our answer must be: None at all. For we immediately descend into the mystifying world of scholarly debates over the authorship, origin, dating, reconstruction and deciphering of 1700-year-old texts.

a. Apostolic Tradition of Hippolytus?

Here are some of the preliminary problems we discover:

(1) **Identity of Author?** The Jesuit expert on Eastern liturgies, Jean Michel Hanssens, devotes nearly one hundred pages to trying to identify Hippolytus: Was he the same Hippolytus associated with an Easter computation table? The one represented by a statue? The one reputed to be a native Roman? Or the Egyptian one? The pope’s counselor? Or the anti-pope? The priest Hippolytus? Or a bishop? Or the martyr? Or one of the several saints in the martyrology?³⁷

The best we can manage is scholarly conjecture.

(2) **Origin?** Where did *The Apostolic Tradition* come from? Some say Rome; others say Alexandria, Egypt. More conjecture.

(3) **Age?** How old is it? “Usually” dated around 215 AD, but “the section dealing with ordination *may have been re-touched* by fourth-century hands in order to bring it into line with current doctrine and practice.”³⁸

³⁷ *La Liturgie d'Hippolyte: Ses Documents, Son Titulaire, Ses Origines et Son Caractere* (Rome: Oriental Institute 1959), 249-340.

³⁸ P. Bradshaw, *Ordination Rites of the Ancient Churches of East and West* (New York: Pueblo 1990), 3.

Note: “retouched.” More scholarly conjecture is needed to tell us which parts of the document were retouched.

(4) **Manuscript Authority?** How much confidence can we put in the originals? Well, we don’t even *have* them:

The Greek original of the document has not survived, except in the form of a few isolated fragments. [I]t has to be *reconstructed* from an extant Latin translation and from later Coptic, Arabic and Ethiopic versions, as well as from the use made of it by compilers of later Church orders, which *increases the difficulty of determining exactly what the author wrote*.³⁹

Hence, the subtitle of Dom Botte’s 1963 edition: *An Attempt at Reconstruction*.⁴⁰ At least a half-dozen other scholars (Connolly, Dix, Easton, Elfers, Lorentz, Hanssens) have made similar attempts.

Reconstruction, said Dom Botte, can “bring us back only to an archetype, and not the original.”⁴¹

So, we have only more conjecture, but this won’t even get us the original.

(5) **Liturgical Use?** Does the text accurately reflect actual use?

“It is not easy to distinguish what represents a real usage from the ideal,”⁴² said Dom Botte in 1963. The prayers *The Apostolic Tradition* contains were given as “models, and not as fixed formulas.”⁴³

And finally, said Dom Botte, in the *Apostolic Tradition of Hippolytus*, “Its origin, whether Roman or [Egyptian] is not really important here. Even if it is a Roman document, it should not be viewed as *the* Roman liturgy of the 3rd century, a time when the liturgy left a great deal of room for a celebrant to improvise.”⁴⁴

³⁹ Bradshaw, 3-4. My emphasis.

⁴⁰ “*Essai de Reconstitution*.”

⁴¹ *La Tradition... Essai*, xxxiii-iv.

⁴² *La Tradition... Essai*, xiv.

⁴³ *La Tradition... Essai*, xvi.

⁴⁴ Louvain conference notes, July 1961, “Le Rituel d’Ordination dans la ‘Tradition Apostolique’ d’Hippolyte,” *Bulletin du Comité* 36 (1962), 5.

And so, multiple volumes of scholarly works produce a *model* for an episcopal consecration prayer that was not necessarily followed word-for-word anyway.

This does not exactly build our confidence.

b. Apostolic Constitutions?

An impressive title, to be sure. However, it is “a composite revision” of three earlier Church orders.

The *Constitutions* appears to have originated in Syria, “and is generally thought to be the work of an Arian [heretic] who was to some extent composing an idiosyncratic idealization rather than always reproducing exactly liturgical practice with which he was familiar.”⁴⁵

A composite dreamed up by a heretic?

c. Testament of Our Lord?

An even more impressive title! Alas, it “probably” dates from the 5th century and “seems” to have been composed in Syria.

Moreover, “Although originally written in Greek, it is extant only in Syriac, Arabic and Ethiopic versions. Like the *Apostolic Constitutions*, it is doubtful how far it represents actual historical practice.”⁴⁶

Doubtful historical practice?

d. No Proof of Approved Use

The question that began this section was: *Was the new form employed as the sacramental form for conferring the episcopacy in some other rite in the past that enjoyed at least tacit approval from the Church?*

Our answer: We have absolutely no idea, because:

- We have no definitive original texts.

⁴⁵ Bradshaw, 4.

⁴⁶ Bradshaw, 4-5.

- We have “reconstructed” texts based on nothing more than the authority of scholarly theories about which readings were correct.
- We do not know whether these texts were actually used to consecrate bishops.
- We have no record of Church approval.

So, one cannot argue on the basis of these texts that the Paul VI form is valid. None of them have been “accepted and used by the Church in that sense,” so there is no guarantee of validity on this basis either.

6. Power of the Episcopacy?

Question: *Does the new sacramental form univocally signify the sacramental effects – the power of Order (the episcopacy) and the grace of the Holy Ghost?*

These are the criteria Pius XII laid down for the sacramental form. Here again is the new form of Paul VI to which we will apply them:

So now pour out upon this chosen one that **power** which is from you, the **governing Spirit** whom you gave to your beloved Son, Jesus Christ, the Spirit given by him to the holy apostles, who founded the Church in every place to be your temple for the unceasing glory and praise of your name.⁴⁷

The form does seem to signify the grace of the Holy Ghost.

But “*governing Spirit*”? Lutheran, Methodist and Mormon bishops also govern. Can such a term univocally signify the power of Order conferred – the fullness of the priesthood?

The expression *governing Spirit* – *Spiritus principalis* in Latin – is at the heart of the dispute over the validity of the

⁴⁷ ICEL translation. “Et nunc effunde super hunc Electum eam virtutem, quæ a te est, Spiritum principalem, quem dedisti dilecto Filio Tuo Jesu Christo, quem Ipse donavit sanctis Apostolis, qui constituerunt Ecclesiam per singula loca, ut sanctuarium tuum, in gloriam et laudem indeficientem nominis tui.”

new rite, for if it does *not* signify the fullness of the priesthood that constitutes the episcopacy, the sacrament is invalid.



a. Early Doubts about Validity

The casual reader will of course be tempted to dismiss this as some crackpot traditionalist fever dream. But forty years ago, even before the new rite was promulgated, a member of the study group that created the new rite of episcopal consecration raised just this issue.

In an October 14, 1966 memo, Bishop Juan Hervás y Benet (1905-1982), the Ordinary of Ciudad Real (Spain) and a promoter of Opus Dei, wrote to fellow study group members:

It would be necessary to establish undeniably that the new form better and more perfectly signifies the sacramental action and its effect. That is to say, that *it should be established in no uncertain terms that it contains no ambiguity*, and that it omits nothing from among the principal charges which are proper to the episcopal order. - - *A doubt occurs to me concerning the words "Spiritus principalis"; do these words adequately signify the sacrament?*⁴⁸

Whether he received an answer is not recorded. But consider what the bishop's question implied at the time for anyone with serious theological training: Will introducing this expression in the form expose the sacrament to the risk of invalidity?

After Paul VI promulgated the new rite for Holy Orders in June 1968, it had to be translated into various modern languages. The expression *Spiritus principalis* immediately

⁴⁸ German Liturgical Institute (Trier), Kleinheyser file, B 117; cited Pierre-Marie, "Why the New Rite..." (Jan 2005), 15. My emphasis.

caused problems. The first official English translation rendered it as “*excellent Spirit*”; French, as “the Spirit *that makes chiefs*” or “leaders”; German, as “the spirit of a *guide*.”

These expressions probably led some of the more conservative bishops at the time to fear for the apostolic succession, because Rome suddenly issued two declarations on the translation of sacramental forms within *three months* (October 1973 and January 1974).⁴⁹

The latter declaration from the Congregation for the Doctrine of the Faith, moreover, was reprinted in *Notitiæ* (the official publication of the Congregation for Divine Worship), accompanied by a rather strange commentary. The author, a Dominican, specifically mentioned Pius XII’s 1947 Constitution *Sacramentum Ordinis*, the “substance of the sacraments,” how each new sacramental formula “continues to signify the special grace conferred by the sacrament,” and the need to “preserve the validity of the sacramental rite.”⁵⁰

A coincidence? In the same issue of *Notitiæ*, about a dozen pages later, we come across a short article by Dom Bernard Botte OSB explaining the meaning of – surprise! – *Spiritus principalis*.

Clearly, this Latin expression had a *lot* of people worried.

b. Governing Spirit = Episcopacy?...

Dom Botte’s explanation of *Spiritus principalis* was essentially as follows:

⁴⁹ SC Divine Worship, Circular Letter *Dum Toto Terrarum*, 25 October 1973, AAS 66 (1974) 98-9; SC Doctrine of the Faith, Declaration *Instauratio Liturgica*, 25 January 1974, AAS 66 (1974), 661. The second document explained that when the Holy See approves a translation, it judges that it “rightly expresses the meaning intended by the Church,” but that it also stipulates that the translation “is to be understood in accord with the mind of the Church as expressed by the original Latin text.” This statement is bizarre. A translation either conveys the substantial meaning of the Latin or it does not. If the latter, it is invalid no matter what anyone “stipulates” – except Humpty Dumpty in *Through the Looking Glass*: “When I use a word - it means just what I choose it to mean – neither more nor less.”

⁵⁰ B. Douroux, “Commentarium,” *Notitiæ* 10 (1974), 394-5. “purché la nuova formula continui a significare la grazia speciale conferita dal sacramento.”

- The expression “raised several difficulties” and led to various translations.
- It occurs in Psalm 50:14, but its meaning there is not necessarily linked to what the expression in the consecration prayer meant for the 3rd-century Christian.
- “Spirit” designates the Holy Ghost.
- But what did the Greek word *hegemonicos* and its Latin equivalent *principalis* mean in the Christian vocabulary of the 3rd century?
- It meant this: Each of the three Holy Orders has a gift of the Holy Ghost, but not the same for each. Deacons = “spirit of zeal and solicitude,” priests = “spirit of counsel.”
- Bishops have the “spirit of authority.”
- The bishop is both leader who must govern and high priest of the sanctuary. He is the ruler of the Church. So the word *hegemonicos/principalis* is understandable.
- *Spiritus principalis* therefore means the “gift of the Spirit proper to a leader.”⁵¹

After this statement appeared, various vernacular translations were adjusted, and the official English translation became *governing Spirit*.

c. ... or Governing Spirit = Who Knows?

So, it was a very erudite-sounding explanation. Unfortunately, it was false – a typical case of the brazen double-talk modernists excel at when they are caught out. *Spiritus principalis* can mean many things, but the “power of Order” proper to the episcopacy isn’t one of them.

This becomes clear after a brief survey of what *governing Spirit* can signify, in either its Latin form (*Spiritus principalis*) or its interchangeable Greek form (*hegemonicos*).

⁵¹ B. Botte, “Spiritus Principalis’ Formule de l’Ordination Épiscopale,” *Notitiæ* 10 (1974), 410-1. “c’est le don de l’Esprit qui convient à un chef.”

(1) **Dictionaries.** Latin and Greek dictionaries render the adjective *governing* as, respectively, “Originally existing, basic, primary - - first in importance or esteem, chief - - befitting leading men or princes,”⁵² and “of a leader, leading, governing” or “guiding.”⁵³

There is a related noun, *hegemonia*, which in general means “authority, command,” and in a secondary sense means “rule, office of a superior: episcopal - - of a superior of a convent - - hence of sphere of bishop’s rule, diocese.”⁵⁴

But even in this sense, it does not connote the power of Order (*potestas Ordinis*), just jurisdiction (*potestas jurisdictionis*), especially since the definition mentions a monastic superior.

(2) **Psalm 50.** In ecclesiastical Latin or Greek, the first text usually cited for *governing* is King David’s prayer in Ps. 50:14, where it is used with *spirit*. The expression is translated into English as a *perfect* spirit, which commentators explain as “a ‘*generous*’ or noble spirit.”⁵⁵

Despite Dom Botte’s claim that the meaning of *governing Spirit* in the Psalm was unrelated to its supposed 3rd century



King David wrote in his famous Psalm *Miserere*: “Confirm me with the principal spirit.” (50:14) “Penitent King David” by Hendrick Bloemaert

⁵² P. Glare, *Oxford Latin Dictionary* (Oxford: Clarendon 1994). Similarly: A. Forcellini, *Lexicon Totius Latinitatis* (Padua: 1940); A. Souter, *Glossary of Later Latin to 600 AD* (Oxford: Clarendon 1949); C. Lewis & C. Short, *A New Latin Dictionary* (New York: 1907).

⁵³ G. Lampe, *A Patristic Greek Lexicon* (Oxford: Clarendon 2000). F. Gingrich & F. Danker, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature* (Chicago: University Press 1957).

⁵⁴ Lampe, 599.

⁵⁵ B. Orchard ed., *A Catholic Commentary on Holy Scripture* (London: Nelson 1953). 457.

meaning in the prayer for episcopal consecration, a Greek patristic dictionary *directly* links both passages and even quotes the Greek excerpt from Hippolytus.⁵⁶

(3) **Church Fathers.** They construe *governing Spirit* in various ways, as referring to the Father,⁵⁷ the Holy Ghost,⁵⁸ the virtue of fortitude,⁵⁹ a mighty power that strengthens against temptations,⁶⁰ etc.

(4) **A Dogmatic Treatise.** In his work on the Trinity Msgr. Pohle says that *governing Spirit* in the Psalm does *not* mean the Holy Ghost Itself, but nothing more than an “external divine effect,” a “supernatural spirit of rectitude and self-control, i.e., a good disposition.”⁶¹

(5) **A 1962 Commentary on Hippolytus.** The ancient prayer for episcopal consecration, says Roger Beraudy, presents the bishop as both leader and high priest successively. *Governing Spirit* appears in the section of the prayer that presents the bishop as “leader of the Church,” rather than in the following section that Beraudy identifies as presenting “the bishop as high priest.”⁶²

(6) **Non-Sacramental Ceremonies.** The Coptic Rite, apart from its sacramental prayer for episcopal consecration, also employs the expression *governing Spirit* in two non-sacramental ceremonies.

a. In the Coptic Church, as in the Catholic Church, an ab-

⁵⁶ Lampe, 599. “Ps 50:14: cf. Hipp. *trad.ap.* 3.3.”

⁵⁷ Origen, *In Jer Hom.* 8, PG 13:336.

“Τίνα τα τρία πνεύματα ταυτα; Το ηγεμονικον ο Πατηρ.”

⁵⁸ Origen, *Comm. In Ep. Ad Rom.* 7, PG 14:1103. “sed in his principatum et dominationem hunc Spiritum sanctum, qui et principalis appellatur, tenere.”

Cyril of Alexandria, *Dubia de Trinitate* 9, PG 77:1140.

“το του Θεου Πνευμα, το ευθες, το ηγεμονικον.”

Basil the Great, *Adv. Eunomium* 5.3, PG 29:753.

“το Πνευμα ... και ηγεμονικον.”

⁵⁹ Cyril of Alexandria, *Expl. In Psalmos* 50:14, PG 69:1100-1.

“τω ηγεμονικω Πνευματι, οπερ εστιν η δια του αγιου Πνευματος ευανδρια.”

⁶⁰ Athanasius, *Ep. Ad Amunem Mon.*, PG 26:1176.

“Και Πνευματι ηγεμονικω - - ισχυρα τις παρα σου δυναμις.”

⁶¹ J. Pohle, *The Divine Trinity: A Dogmatic Treatise*, 2nd ed. (St. Louis: Herder 1915), 97.

⁶² R. Beraudy, “Le Sacrement de l’Ordre d’après la Tradition Apostolique d’Hippolyte,” *Bulletin du Comité* 36 (1962), 341, 342.

bot is not a bishop, but merely a simple priest who is the head of a monastery. When a Coptic abbot (hegoumenos) is installed, the bishop imposes his hand on the priest's head and says a prayer that God will grant the priest "a *governing Spirit* of gentleness and love and patience and graciousness."⁶³

b. For the promotion of a Coptic bishop to the rank of archbishop (metropolitan), in which it is prayed that God pour forth his *governing Spirit*, "the knowledge which is Thine, which he hath received in Thy holy Church."⁶⁴

(7) **Another Expert.** And in 1969, before it became a matter of controversy, we find at least one expert who said that *omitting* the expression *governing Spirit* wouldn't even necessarily alter the validity of the rite:

If one were to omit inadvertently the words *spiritum principalem*, I don't see what that would change.

The expert? Dom Bernard Botte.⁶⁵

(8) **Who Knows?** Our brief survey, then, uncovered a dozen possible meanings for *governing Spirit*:

- Originally existing spirit.
- Leading/guiding spirit.
- Perfect spirit like King David.
- Generous or noble spirit.
- God the Father.
- God the Holy Ghost.
- An external divine effect.
- Supernatural spirit of rectitude/self-control.

⁶³ Tr. Burmester, *Ordination Rites... Coptic*, 97. "hegemonicon pneuma." Also RO 2:17. "spiritum hegemonicum."

⁶⁴ Tr. Burmester, *Ordination Rites... Coptic*, 118. "hegemonicon pneuma. Also RO 2:34. "in spiritu tuo hegemonico."

⁶⁵ B. Botte, "L'Ordination..." 123. "mais si on ommetait par inadvertance les mots '*spiritum principalem*' je ne vois pas ce que cela changerait." Botte, a typical modernist, devotes two pages of this article to dismissing the standard safeguards for the validity of an episcopal consecration that had been introduced based on the principles of moral and dogmatic theology.

- Good disposition.
- For a Coptic abbot: gentleness, love, patience and graciousness.
- For a Coptic archbishop: divine knowledge, received through the Church.
- Some quality whose omission wouldn't change validity anyway.

None of these specifically signify either the episcopacy in general or the fullness of Holy Orders that a bishop possesses.

d. Univocally Signify the Effect?

We now begin to apply a few more of our criteria from section 1.

Pius XII, in his Apostolic Constitution *Sacramentum Ordinis* declared that the form for Holy Orders must “univocally signify the sacramental effects – that is, the power of the Order and the grace of the Holy Ghost.”⁶⁶

The new form fails on two of these points.

(1) **Not Univocal.** The expression *governing Spirit* is not *univocal* – that is, it is not a term that signifies only *one* thing,⁶⁷ as Pius XII required.

Rather, as we demonstrated above, the expression is *ambiguous* – capable of signifying *many different* things and persons.

We do, among its various meanings, find one meaning connoting the Holy Ghost – but not in a sense exclusively limited to bishops. Coptic abbots, King David, and virtuous leaders can *all* receive this *governing Spirit*.

(2) **No Power of Order.** Among these many different meanings, however, we do not find the power of Order (*potestas Ordinis*) of the episcopacy. The expression *governing Spirit*

⁶⁶ *Sacr. Ord.* DZ 2301. ¶4. “quibus univoce significantur effectus sacramentales – scilicet potestas Ordinis et gratia Spiritus Sancti.”

⁶⁷ Forcellini, *Lexicon* 8:869. “proprie de eo qui unius est vocis - - cui *multivocus* vel *plurivocus* opponitur. - - ‘Univoca (*sunt*) quæ sub eodem nomine et sub eadem substantia continentur.’”

does not even *equivocally* connote the Sacrament of Holy Orders in any sense.

Still less does it connote what the theologians who advised Pius XII said the sacramental form for conferring the episcopate must express: the “fullness of the priesthood of Christ in the episcopal office and order” or the “fullness or totality’ of the priestly ministry.”⁶⁸

One of the constituent elements for a form capable of conferring the order is therefore absent.

So, we have an answer to the question with which we began this section:

Does the new sacramental form univocally signify the sacramental effects – the power of Order (the episcopacy) and the grace of the Holy Ghost?

The answer is no.

7. Substantial Change?

Question: *Is this a substantial change in the sacramental form for conferring the Order of episcopacy?*

A substantial change, as we saw in section 1, occurs in a sacramental form “when the meaning of the form itself is corrupted,” if the words “would have a meaning different from that intended by the Church,”⁶⁹ if it no longer “completely and congruently” expresses the meaning intended or willed by Christ.⁷⁰

Now for Holy Orders, Pius XII told us *exactly* what elements a sacramental form ought to express – the grace of the Holy Ghost and the power of the Order being conferred.

The term *governing Spirit* in the new form for episcopal consecration promulgated by Paul VI may express the first of those elements, the Holy Ghost. Indeed, the pronoun beginning the clause that follows it – “*whom [quem]* you gave...”

⁶⁸ F. Hürth, “Commentarius ad Cons. Apostolicam *Sacramentum Ordinis*,” *Periodica* 37 (1948), 31-2. “plenitudinem sacerdotii Christi in munere et ordine episcopali.” “summa seu totalitas’ ministerii sacerdotalis.”

⁶⁹ Merkelbach, 3:20.

⁷⁰ Coronata, 1:13. “non amplius per ipsam complete et congruenter exprimatur.”

– clearly indicates it is supposed to refer to the Holy Ghost.

That same expression, *governing Spirit*, however, does not and cannot express the *other* required element – the power of the Order being conferred. That notion is entirely missing from the new sacramental form, which no longer adequately signifies what it is supposed to effect – the fullness of the priesthood that constitutes the episcopal order.

So, our question was: *Is this a substantial change in the sacramental form for conferring the Order of episcopacy?*

The answer is yes.

8. An Invalid Sacrament

Question: *How does this substantial change of meaning in the form affect the validity of the sacrament?*

A substantial change in the meaning of a sacramental form, as we have seen in section 1, renders a sacrament invalid.

This leads us inexorably to our conclusion:

Accordingly, an episcopal consecration conferred with the form promulgated by Paul VI in 1968 is *invalid*.

We proceed to two objections.

9. Saved by Context?

Objection: *Even if the essential part of the sacrament were insufficiently determined, it would nevertheless be adequately specified by the phrase “grant - - that he show forth to Thee a high priesthood without blame”⁷¹ that occurs later in the context.*

Fr. Pierre-Marie briefly raised this objection.⁷² But one could make such an argument only if:

⁷¹ *De Ordinatione Episcopi, Presbyterorum et Diaconorum*, ed. typ. alt. (Rome: Polyglot 1990), 25. “Da - - ut - - summum sacerdotium tibi exhibeat sine reprehensione.”

⁷² “Why the New Rite...” (Jan 2005), 10.

- 1) The new sacramental form contained *both* elements required by Pius XII (the grace of the Holy Ghost and the power of the Order), and
- 2) The form signified one of those elements *equivocally* rather than *univocally*.

One could then at least argue that the form indeed contained the element that Pius XII required and that the context adequately specified it.

However:

a. Certitude... or Opinion?

No matter how convincingly formulated, such an argument could never produce *moral certitude* that the new sacramental form was valid, only a *probable opinion* that it was. For the weighty counter-argument would always be that Pius XII required that the form be *univocal*, period.

It is not permissible in the administration and reception of sacraments to follow a mere probable opinion about validity. To do so is a mortal sin against religion, charity and (for the minister) against justice.⁷³

Further, this would hold all the more true regarding the administration of Holy Orders, because of the irreparable harm – invalid Masses, absolutions and Last Rites – that would result from its invalidity.

One could therefore neither confer nor receive Orders based on an *opinion* that the new rite of episcopal consecration is valid, nor function as a priest based on such an opinion.

b. A Counter-Argument

And the argument from context, in any case, cuts both ways.

Other reconstructions of the episcopal consecration prayer in the *Apostolic Tradition* of Hippolytus contain a petition to God that the bishop would receive “the power - - to confer

⁷³ Cappello 1:25-6.

orders according to your bidding.”⁷⁴

The Paul VI Consecration Preface at this point instead asks that he receive the power to “distribute gifts (or offices) according to Thy command.”⁷⁵ The official English translation renders it as “assign ministries as you have decreed.”

A Mormon bishop with his own governing Spirit can assign ministries, and even Santa Claus can distribute gifts.

The notion of conferring Holy Orders – the distinctive power that characterizes the fullness of the priesthood – has been eliminated from the new Preface.

That the omission was deliberate is clear from the Coptic Rite form for episcopal consecration that Dom Botte consulted to reconstruct the text of Hippolytus. It further specifies after the foregoing phrase that the bishop is to provide clergy “for the *priesthood* - - *to make new houses of prayer, and to consecrate altars.*”⁷⁶

The removal of the power to ordain from the Anglican form for episcopal consecration was among the reasons adduced by Leo XIII for declaring Anglican orders invalid, “because among the first duties of the episcopacy is that of ordaining ministers for the Holy Eucharist and sacrifice.”⁷⁷

c. Not Just Equivocal, but GONE

However, one may not even *make* the argument from context in favor of validity, because the new form **does not even equivocally signify** one of the elements Pius XII said the sacramental form must contain – the **power of the Order** being conferred.

That element is **missing**, so there is nothing for the context to determine or specify. Trying to do so is a futile effort.

If I recite all the prayers and perform *all* the ceremonies

⁷⁴ Bradshaw, 107.

⁷⁵ *De Ord. Ep.*, 25. “ut distribuat munera secundum præceptum tuum.”

⁷⁶ Burmester, *Ordination Rites*, 111.

⁷⁷ *Apostolicæ Curæ*, 13 Sep 1896, DZ 1965. “eoque id magis, quia in primis episcopatus muniis scilicet est, ministros ordinandi in sanctam Eucharistiam et sacrificium.”

that the *Rituale Romanum* prescribes for a baptism, yet – God forbid – omit the word “baptize” when I pour the water on a baby’s head, the sacrament is *invalid*. All the prayers in the surrounding context – no matter how much they speak about baptism, cleansing, and the life of grace – *cannot* render the form valid. An *essential* element was missing from the form, so there is *nothing* – not even an equivocal term – for the context somehow to render specific.

So too, here. The power of Order is *gone* from the form, and context cannot bring it back.

All that remains is *governing Spirit*, which may refer to the Holy Ghost, or one of His effects, or the Father, or knowledge, or Coptic abbot-like virtues.

10. Approved by the Pope?

Objection: *Even if the essential sacramental form did not univocally signify one of the sacramental effects (the power of the Order of the episcopacy), approval by Pope Paul VI would nevertheless guarantee that the form was valid.*

This is the last and weakest argument for validity, not only because it assumes that authoritative declarations in the Church need no coherent theological justification,⁷⁸ but also because it wrongly attributes to the pope a power he does not possess.

a. No Power to Change?

In the beginning of *Sacramentum Ordinis*, Pius XII, reiterating the teaching of the Council of Trent, states: “the Church has no power over ‘the substance of the Sacraments,’ that is, over those things which, as is proved from the sources of divine revelation, Christ the Lord Himself established

⁷⁸ Nothing could be further from the truth. The theologians who prepared Pius XII’s 1947 declaration on the matter and form for Holy Orders studied the question for 40 years (see pp. 59-60), and took great pains to insure that rigorous theological reasoning consistent with tradition supported every word of the draft. When it appeared, the head of the commission wrote a 50-page commentary to demonstrate this.

to be kept as sacramental signs.”⁷⁹

As regards Holy Orders, “The Church possesses no power over the *meaning* of the form, because it pertains to the substance of the sacrament instituted by Christ.”⁸⁰ Christ Himself prescribed that for Holy Orders the Church use signs and words “capable of expressing - - the power of Order.”⁸¹

The new form for episcopal consecration does not express this power, even equivocally. It therefore changes the substance of a sacrament as established by Christ. No pope would have the power to render such a form valid.

b. Or a Change Means No Power?

If faith tells us that the Church has no power to change the substance of a sacrament, and we conclude that Paul VI has *in fact* changed the substance of a sacrament – rendering it invalid in the process – we can arrive at but one conclusion: He was not a true pope.

The invalid Rite of Episcopal Consecration Paul VI promulgated, then, is just one more piece of evidence confirming the defection from the faith and resultant loss of authority by the Popes of Vatican II.

That the man who occupies the See of Rome is not a true bishop, moreover, should be ample proof that neither is he a true pope.

11. Summary

We have covered a vast amount of material in the foregoing sections, so we will now offer the beleaguered reader a summary.

⁷⁹ DZ 3201. “Ecclesia nulla competat potestas in ‘substantia Sacramentorum,’ id est in ea quæ, testibus divinæ revelationis fontibus, ipse Christus Dominus in signo sacramentali servanda statuit.”

⁸⁰ Merkelbach 3:720. “Quantum ad sensum formæ, quia pertinet ad substantiam sacramenti a Christo instituta, Ecclesiæ nulla competit potestas.”

⁸¹ Merkelbach 3:18. “determinavit - - quod ab Ecclesia adhiberentur signa et verba idonea ad exprimendum characterem et gratiam propriam Confirmationis, vel potestatem Ordinis.”

a. General Principles

- 1) Each sacrament has a form (essential formula) that produces its sacramental effect. When a *substantial* change of meaning is introduced into the sacramental form through the corruption or omission of essential words, the sacrament becomes *invalid* (=does not “work,” or produce the sacramental effect).
- 2) Sacramental forms approved for use in the Eastern Rites of the Catholic Church are sometimes different in wording from the Latin Rite forms. Nevertheless, they are the same in *substance*, and are valid.
- 3) Pius XII declared that the form for Holy Orders (i.e., for diaconate, priesthood and episcopacy) must univocally (=unambiguously) signify the sacramental effects – the power of Order and the grace of the Holy Ghost.
- 4) For conferring the episcopacy, Pius XII designated as the sacramental form a sentence in the traditional Rite of Episcopal Consecration that unequivocally expresses the power of the order that a bishop receives and the grace of the Holy Ghost.

b. Application to the New Form

- 1) The new form for episcopal consecration that Paul VI promulgated does not seem to specify the power of the Order supposedly being conferred. Can it confer the episcopacy? To answer this question, we apply the foregoing principles.
- 2) The short Paul VI form for episcopal consecration is not identical to the lengthy Eastern Rite forms, and unlike them, does not mention sacramental powers proper to a bishop alone (e.g., ordaining). The Eastern Rite prayers that the surrounding Paul VI consecration Preface most closely resembles are

non-sacramental prayers for the installations of the Maronite and Syrian Patriarchs, who are already bishops when appointed. In sum, one may not argue that the Paul VI form is “in use in two certainly valid Eastern Rites” and therefore valid.

- 3) Various ancient texts (Hippolytus, the *Apostolic Constitutions*, the *Testament of Our Lord*) which share some common elements with the Paul VI consecration Preface have been “reconstructed,” are of doubtful provenance, may not represent actual liturgical use, etc. There is no evidence that they were “accepted and used by the Church as such.” Thus they provide no reliable evidence to support for the validity of the Paul VI form.
- 4) The key problem in the new form revolves around the term *governing Spirit* (*Spiritus principalis* in Latin). Before and after the promulgation of the 1968 Rite of Episcopal Consecration the meaning of this expression provoked concerns about whether it sufficiently signified the sacrament.
- 5) Dom Bernard Botte, the principal creator of the new rite, maintained that, for the 3rd-century Christian, *governing Spirit* connoted the episcopacy, because bishops have “the spirit of authority” as “rulers of the Church.” *Spiritus principalis* means “the gift of a Spirit proper to a leader.”
- 6) This explanation is false and disingenuous. Reference to dictionaries, a Scripture commentary, the Fathers of the Church, a dogmatic treatise, and Eastern Rite non-sacramental investiture ceremonies reveals that, among a dozen different and sometimes contradictory meanings, *governing Spirit* does not specifically signify either the episcopacy in general or the fullness of Holy Orders that the bishop possesses.
- 7) Before the controversy over it arose, Dom Botte himself even said that he didn’t see how omitting the expression *governing Spirit* would change the

validity of the rite of consecration.

- 8) The new form fails to meet two criteria for the form for Holy Orders laid down by Pius XII. (a) Because the term *governing Spirit* is capable of signifying many different things and persons, it does not *univocally signify* the sacramental effect. (b) It lacks any term that even *equivocally* connotes the *power of Order* that a bishop possesses – the “fullness of the priesthood of Christ in the episcopal office and order,” or “the fullness or totality of the priestly ministry.”
- 9) For these reasons, the new form constitutes a *substantial change* in the meaning of the sacramental form for conferring the episcopacy.
- 10) A substantial change in the meaning of a sacramental form, as we have already demonstrated, renders a sacrament invalid.

c. Conclusion: An Invalid Sacrament

Accordingly, for all the foregoing reasons, an episcopal consecration conferred with the sacramental form promulgated by Paul VI in 1968 is *invalid*.

* * * * *

When I was a seminarian in the Midwest during the late 1960s and early 1970s, I heard various modernists dismiss the traditional understanding of apostolic succession as “pipeline theology,” un-Scriptural myth and after-the-fact “faith reflection,” and mock the notion of sacramental forms as “magic words” and “mumbo-jumbo.”

During that same post-Vatican II era, modernist liturgical “experts” were hard at work fashioning the new rite of episcopal consecration. Having now read much of what they wrote – filled as it is with bogus claims of a “return to sources,” crafty double-talk, contempt for scholastic sacramental theology, and the stink of arrogance that rises from every

page – I have no difficulty at all believing that these men set out to produce a rite that would destroy the apostolic succession as it was traditionally understood.⁸²

As we have seen, they have succeeded all too well. The eradication of sacramental apostolic succession is their little “joke” on the Church.

So, the modernists need mock the “pipeline” no longer. They cut it off in 1968. The bishops consecrated with this new rite do not possess the sacramental power of true bishops, and cannot validly consecrate other bishops or ordain true priests.

The priests who derive their ordination from such bishops cannot, in turn, validly confect the Eucharist at Mass, forgive sins or anoint the dying. This is a sin against the virtues of religion, justice and charity. The priests who in good faith receive invalid orders are deprived of the priestly character, and the laymen who receive invalid sacraments at their hands are deprived of grace.

It would be bad enough if this phenomenon of invalid sacraments were limited exclusively to parishes and clergy that fully embrace the Vatican II changes, but it has spread to circles where the traditional Latin Mass is offered as well.

Since 1984 diocesan-approved “Indult” traditional Masses have sprung up everywhere, offered by priests ordained by bishops consecrated with the new rite. These Masses are all invalid, but many innocent Catholics who do not know better attend them, adoring and receiving only bread.

Even more dangerous are the various clerical and religio-

⁸² Dom Botte knew, for instance, that the West Syrian prayer for the consecration of the Patriarch was non-sacramental – that the title means “investiture ceremony,” rather than sacramental consecration, because “the Patriarch does not receive a charism different from the one he received at the time he became a bishop.” Khouris-Sarkis, 140-1, 156-7. He knew because he was a contributing editor for *L'Orient Syrien*, the periodical in which those words appeared. He also knew, because he himself wrote an article about it, that the true ancient sacramental form for conferring the episcopacy in the Syrian and Coptic rites was not “Hippolytus” but the formula “Divine Grace...” still used by the Byzantine Rite. “La grâce divine, sous la forme que nous trouvons dans l'eucologe byzantin, est la formule sacramentelle la plus ancienne dans le patriarchat syrien.” Botte, “La Formule d'Ordination,” *L'Orient Syrien* 2 (1957), 295.

us institutes that now offer the traditional Latin Mass with full approval and recognition from the modernist hierarchy – the Fraternity of St. Peter, the Institute of Christ the King, the Apostolic Administration of St John Vianney, the Foggambault Benedictines, etc.

While giving an impression of splendidly maintaining integral Catholicism, these institutions are completely compromised. Their members must adhere fully to the errors of Vatican II and must cooperate with the modernist diocesan bishops and clergy.

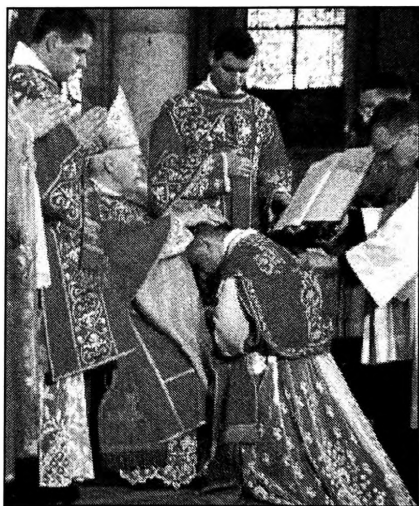
Young men attracted to the glories of Catholicism and the ideals of the priesthood enter these seminaries and monasteries to be ordained one day in the full traditional, pre-Vatican II ceremony.

But they will exit that ceremony afterwards every bit the laymen who entered the seminary years before – for the bishop who ordained them will have possessed not the fullness of the priesthood, but the emptiness of the governing Spirit.

And as for the superiors of SSPX, their attempt to purchase a side chapel in Ratzinger's One-World Ecumenical Church by defending his counterfeit episcopacy betrays the clergy, the faithful and the founder of the Society.

For despite the Society's incoherent and dangerous teachings on the pope and the universal ordinary magisterium, one could at least take some consolation that it stood for the validity of the sacraments.

If the new line enunciated in Fr. Pierre-Marie's article prevails, however, that will be gone. And should a "reconciliation" occur, it will then only be a matter of time before counterfeit clergy start surfacing throughout the SSPX's apostolate – courtesy, perhaps, of a cardinal or even the



“Bishop” of Rome himself, intent on making a gesture of his ecumenical good will.

Who, then, in the ranks of SSPX will have the courage to resist? Who, then, will thunder like Archbishop Lefebvre against these “bastard rites,” these “bastard priests,” these “bastard sacraments,” which may no longer give grace at all?⁸³

And the traditionalist laity, betrayed by the compromise of his sons, will once again wonder whether their sacraments are but an empty show – absolutely null and utterly void.

March 25, 2006
Abp. Lefebvre †
15th anniv.

⁸³ Sermon, Lille (France), 29 August 1976. In M. Davies, *Apologia pro Marcel Lefebvre* (Dickinson TX: Angelus Press 1979) 1:262-3. “The rite of the [new] Mass is a bastard rite, the sacraments are bastard sacraments – we no longer know if they are sacraments which give grace or do not give grace - - The priests coming out of the seminaries are bastard priests.”

Appendix 1

Two Notes on Fr. Pierre-Marie's Article.

A. Invalidly-Consecrated Doctors? Fr. Pierre-Marie argues that by attacking the validity of the new rite, one also implicitly attacks the ordinations and consecrations of various Eastern Doctors of the Church⁸⁴ – his assumption being that form for Holy Orders in Alexandria and Antioch was more or less the same as the rite of Paul VI.

Dom Botte himself, however, demonstrated that the true ancient sacramental form for conferring the Holy Orders in these rites was not “Hippolytus,” but the formula “Divine Grace...” still used by the Byzantine Rite.⁸⁵

B. Comparison Tables. Fr. Pierre-Marie presents three impressive-looking tables of parallel Latin texts. With these he intends to demonstrate that the new Paul VI text for the consecration of bishops is fundamentally the same as texts for episcopal consecration used either in the Eastern Rites or the ancient Church, and is therefore valid.

But comparison tables are only as good as the texts selected, and the ones Fr. Pierre-Marie has chosen are quite useless for his argument.

His base text for comparison is the Latin version of the 1968 Preface for Episcopal Consecration, composed, of course by Dom Botte. Fr. Pierre-Marie provides us with the following texts to compare to it:

- 1) *Apostolic Tradition of Hippolytus*. This is Dom Botte's 1963 “reconstruction.” Its inclusion in a comparison table, however, proves nothing about the validity of the 1968 form – just that Dom Botte could type the same text twice.
- 2) *The Apostolic Constitutions*. This text is thought to be the work of an Arian heretic, is a composite, and may not represent actual liturgical practice.⁸⁶ Not a great proof for validity.
- 3) *Testament of Our Lord Jesus Christ*. It is doubtful how far this represents actual historical practice.⁸⁷ Again, not

⁸⁴ “Why the New Rite,” *The Angelus*, January 2006, 4.

⁸⁵ See B. Botte, “La Formule d'Ordination,” *L'Orient Syrien* 2 (1957), 295.

⁸⁶ See article, section 5.b. (p. 298)

⁸⁷ See article, section 5.c. (p. 298)

a great proof for validity either.

- 4) *Consecration of the Maronite Patriarch*. This text is *not* the Maronite sacramental form for conferring episcopal consecration but a non-sacramental installation prayer for the Patriarch, who is already a bishop.⁸⁸
- 5) *Coptic Rite of Episcopal Consecration*. Here Fr. Pierre-Marie at least provides a text based upon a form for episcopal consecration that is recognized as valid. Unfortunately:
 - a) He has taken his Latin translation from Denzinger's *Ritus Orientalium*,⁸⁹ which in the case of the Coptic texts was based on another Latin version "filled throughout with mistranslations,"⁹⁰ and therefore "should be treated with caution."⁹¹
 - b) This version mistranslates a phrase specifying the bishop's power "to provide clergy according to [Our Lord's] commandment for the priesthood."⁹² Dom Botte blurred this phrase in his 1963 reconstruction of Hippolytus as "to distribute portions," and in the 1968 episcopal consecration Preface as "to distribute gifts."⁹³ This change should have set off alarms but didn't, because Fr. Pierre-Marie employed an unreliable translation.

In sum, Fr. Pierre-Marie presents in his tables three disputed ancient texts (Botte's "reconstructed" Hippolytus, the *Constitutions* and the *Testament*), a non-sacramental installation rite (for the Maronite Patriarch) and an unreliable translation (Denzinger/Scholz's Latin) that omits a key phrase (ordaining priests) from the Coptic sacramental form.

None of this, obviously, supports the validity of the new rite.

⁸⁸ See article, section 4.b. (p. 292)

⁸⁹ RO 2:23ff.

⁹⁰ Emmanuel Lanne, "Les Ordinations dans le Rite Copte," *L'Orient Syrien* 5 (1960), 90-1. "Denzinger se base sur une version faite par Scholz - La traduction de Scholz contient des gros contresens."

⁹¹ Bradshaw, 8.

⁹² Trans. Burmester, *Ordination Rites*, 110-1. RO 2:24 renders the Coptic as "constitutendi cleros secundum mandatum ejus ad sanctuarium." The footnote reads: "in ordine sacerdotali."

⁹³ "distribuatur munera," "dare sortes." Botte also scrapped completely the phrases that mentioned consecrating churches and altars.

Appendix 2

A Note on Copts

After the 7th-century Moslem conquest of North Africa, the Copts went into a long decline.

Ill-educated candidates obtained the Patriarchate,⁹⁴ sometimes by bribes.⁹⁵ Formation of the secular clergy was null,⁹⁶ and the monasteries were little better.⁹⁷

Here are a few notes about the Copts' sacramental practice:

- If a dying baby could not be brought to the church for baptism, the priests would merely anoint it, bless it and recite the exorcisms, because Coptic sacramental law said any of these ceremonies replaced baptism.⁹⁸
- In the 12th-13th century, there was a serious attempt to abolish auricular confession entirely, replacing it with a sort of general absolution at Mass.⁹⁹
- The Coptic bishop in charge of Ethiopia would ordain thousands of Africans to the priesthood at one time, some of them stark naked for the ceremony.¹⁰⁰
- Because of the way some Coptic priests conducted baptisms, there was reason to doubt their validity, so the Holy Office decreed in 1885 that an inquiry should be made in each case when a Copt converted.¹⁰¹

That the modernists would scrap the venerable Roman Preface for Episcopal Consecration in favor of a liturgical text connected with this decadent schismatic and heretical sect is an everlasting indictment of their insufferable arrogance and folly.

⁹⁴ M. Jugie, "Monophysite (Église Copte)" DTC 10:2260. "Remarquons, à ce propos, que les patriarches coptes n'ont jamais brillé pour leur science; on en a vu de fort ignorants, et nous avons donné plus haut le nom d'un illétré."

⁹⁵ Jugie DTC 10:2262.

⁹⁶ Jugie DTC 10:2263.

⁹⁷ Jugie DTC 10:2262.

⁹⁸ Jugie DTC 10:2281.

⁹⁹ Jugie DTC 10:2285-6.

¹⁰⁰ A. Fortescue, *The Lesser Eastern Churches* (London: CTS 1913), 311.

¹⁰¹ D. Attwater, *Christian Churches of the East* (Milwaukee: Bruce 1961) 2:191.

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TWO COMMENTS ON BP. TISSIER'S RECENT INTERVIEW

Rev. Anthony Cekada

April 30, 2006

Two points in Bp. Bernard Tissier de Mallerais's interview with Stephen Heiner (*The Remnant*, 30 April 2006) deserve some further comment.

1. Abp. Lefebvre and the New Rite of Episcopal Consecration. Bp. Tissier emphatically denies that Abp. Lefebvre ever studied, denied, doubted or even discussed the validity of the new rite of episcopal consecration.

All I can say is that Bp. Tissier was not in the room when Abp. Lefebvre personally told me the form for the new rite had been completely changed and that he regarded it as invalid.

Perhaps such issues didn't worry Bp. Tissier, so he didn't ask. But they sure worried me.

I stand by the account of my conversation with Abp. Lefebvre that I gave in my article "Absolutely Null and Utterly Void." The Archbishop told me the rite was invalid.

But in any event, this is a sideshow. The validity of the rite is not determined by a dead Archbishop's opinions, but by applying the principles of Catholic sacramental theology.

2. Benedict XVI's Heresies. Bp. Tissier's strong language about Ratzinger will strike many traditionalists as some sort of fundamental change of position.

This, I fear, is not the case.

Bp. Tissier's insistence that Ratzinger's heresies have no effect on whether or not he is a true pope is itself remarkably similar to Ratzinger's *own* heresies about the Church: that (1) the denial of Catholic teaching through heresy does not truly put one outside the Church of Christ, and that (2) one may be a member of the Church of Christ without being subject to the Roman Pontiff.

As regards (1), according to Bp. Tissier, Ratzinger “has professed heresies in the past - - he has never retracted his errors - - he published a book full of heresies.”

But none of this, it seems, affects Ratzinger’s membership in the Church or his capacity to become and remain the Vicar of Christ: “No, no, no, no. He is the Pope...” Heresy, in Bp. Tissier’s system, simply has *no consequences* for the individual professing it.

As regards (2), even though Bp. Tissier says of Ratzinger “he is the Pope, now, yes, he is the Pope,” SSPX refuses to be subject to “the Pope” while at the same time considering itself part of the Church. Submission to the Roman Pontiff, in Bp. Tissier’s system as in Ratzinger’s, is no longer necessary for membership in the Church of Christ.

It is ironic that by coupling a denunciation of Ratzinger’s heresies with insisting that this has *no effect* on either Ratzinger’s membership in the Church or capacity to be a true pope, Bp. Tissier inadvertently embraces Ratzinger’s great “church-as-communion” heresy.

Obviously this is not Bp. Tissier’s intention.

One can always pray, however, that having acknowledged that Ratzinger taught heresy, Bp. Tissier and other members of SSPX will soon apply to that fact the appropriate theological principles and then unflinchingly acknowledge the logical consequences: the heretic Ratzinger cannot be a true pope.

In the meantime, denouncing Ratzinger’s heresies while insisting he is a pope merely crystallizes the incoherence of SSPX’s “recognize-and-resist” ecclesiology.

BISHOP MENDEZ AND THE 1990 SSPV ORDINATIONS

Conflicting Accounts by Participants

Lead to an Unsettling Conclusion

Rev. Anthony Cekada

September 2006

In September 1990, the former Bishop of Arecibo, Puerto Rico, the Most Rev. Alfred F. Mendez CSC, ordained to the priesthood two members of the Society of St. Pius V (SSPV).

Since Bp. Mendez did not wish to be linked publicly with the traditionalist cause, the ordination was held in secret in a school chapel in Cincinnati, Ohio. To shield the prelate's identity further when the two newly-ordained priests suddenly appeared on the traditionalist scene, the SSPV gave out the name of their ordaining bishop as "Francis Gonzalez."

In a letter to a Society of St. Pius X priest the following month, moreover, Bp. Mendez himself actually denied his involvement, dismissing the story that he performed the ordination as an "ugly rumor."

Over the years, SSPV priests who participated in the ordination ceremony have given various conflicting accounts about how this rite was actually conducted. In particular, these touch upon the question of how Bp. Mendez recited the essential sacramental form – the one sentence in the rite absolutely required for the validity of the ordination.

No traditionalist, of course, wants one more controversy, especially over a hot-button issue like the validity of an ordination.

The case of the 1990 ordination, however, is *very* disturbing. The attempt to reconcile all the successive accounts of **how** Bp. Mendez recited the sacramental form, **how often** he recited it during the ceremony, what **text** he recited and what **book** he used has resulted in nothing but confusion and contradiction.

And the attendant consequences if there *had* been a substantial defect – that two priests who have been on the SSPV

mission circuit since 1990 are invalidly ordained – are terrible to contemplate. For even though the SSPV priests as a matter of policy refuse sacraments to several broad categories of traditional Catholics (my current parishioners among them), many traditional Catholics (including ones that I formerly served) rely exclusively upon SSPV for sacraments, particularly in the East and Middle West where the two priests now work.

When this matter first came to my attention in late 2000, I tried without success to get it resolved discreetly. Shortly thereafter, I also wound up on a plane next to one of the priests ordained at the 1990 ceremony, a former student of mine. I explained the principles involved, and urged him to get the problem rectified. He listened politely, but I was unable to gauge whether he actually understood. And as far as I know, nothing was ever done.

Since this seems still to be the case, I will lay out here a few basic principles on the sacraments and then set down in chronological order the various conflicting accounts that participants in the 1990 ordinations have provided over the years. At the end of this article, I will offer a summary, followed by some practical conclusions.

By that point, however, I suspect that most readers will have already come to the same disturbing conclusions as I.

I. General Principles

We begin by recalling some principles on the sacraments:

- As I have demonstrated elsewhere in my article on the 1981 episcopal consecrations conferred by Abp. P.M. Ngo-dinh-Thuc, when a Catholic minister confers a sacrament using a Catholic rite, ordinary pastoral practice, canon law, and the principles of moral theology automatically treat the sacrament he confers as valid.¹

As regards Holy Orders in particular, Cardinal Gasparri, the compiler of the Code of Canon Law, said: “an act, espec-

¹ A. Cekada, “The Validity of the Thuc Consecrations,” *Sacerdotium* 3 (Spring 1992), esp. vol. I, pp. 243-245.

ally one as solemn as an ordination, must be regarded as valid, as long as invalidity would not be clearly demonstrated.”²

Accordingly, when Bp. Mendez conferred Holy Orders in 1990 using the Church’s traditional ordination rites, the sacrament he conferred automatically enjoyed the presumption of validity, no matter *what* one thought of him otherwise.

- Despite this presumption, however, a sacrament that a Catholic minister confers using a Catholic rite must be treated as invalid if, when the rite was performed, a *substantial* defect occurred (or even probably occurred) in one of the three essential elements of the sacrament: matter, form or intention.

The second element mentioned, the *form*, refers to the short, essential formula in the rite that the Church (either through some papal pronouncement or through the common teaching of approved theologians) designates as required for validity.³

A substantial defect in the sacramental form takes place when it is either *omitted* entirely, or when its *meaning* is *substantially* changed – “when the meaning of the form itself is corrupted - - if the words would have a meaning different from that intended by the Church.”⁴

From the various accounts given by participants present at the 1990 ordinations, there is good reason to fear that Bp. Mendez mispronounced the essential sacramental form in such a way that its meaning was corrupted. We now turn to those accounts.

² P. Gasparri, *Tractatus de Sacra Ordinatione* (Paris: Delhomme 1893) 1:970.

³ This is a descriptive definition. The technical definition is typically given as “words or some other equivalent signs (as a nod expressing consent in Matrimony) which determine the matter more particularly, both matter and form thus constituting the external sign and producing the sacramental effect.” N. Halligan, *Administration of the Sacraments* (New York: Alba House 1962), 6.

⁴ H. Merkelbach, *Summa Theologiæ Moralis* 8th ed. (Montreal: Desclée 1949) 3:20. “Quando ipse sensus forma corrumpitur - - habeat sensum diversum a sensu intento ab Ecclesia.”

II. Initial Accounts: Two Pronunciations

The first indications that a defect occurred in the essential sacramental form came from two SSPV priests who had been present at the ceremony, the Rev. Thomas Zapp and the Rev. Clarence Kelly.

A. Father Zapp's Account. Fr. Kelly had designated both Fr. Zapp and himself to be the "qualified witnesses" to the ordination in order to attest that Bp. Mendez performed it validly, using the correct matter and form. They stood next to each other on the Gospel side of the sanctuary, six feet away from Bp. Mendez, sharing the same *Pontifical* (the ritual book with the ordination rites), and following the text.

(Neither canon law, moral theology nor the rubrics themselves prescribe such a role at a sacramental rite, by the way. Fr. Kelly had invented it in order to impugn the validity of the Thuc consecrations.)⁵

Before the recitation of the essential words, Fr. Kelly alerted Fr. Zapp by whispering "here comes the form."

After Bp. Mendez recited the form, Fr. Zapp recalled, "We looked at each other and said 'What?'" Fr. Kelly had Fr. Jenkins stop the bishop and ask him to repeat it. Bp. Mendez was visibly upset at the request.

Nevertheless, Bp. Mendez recited the form a second time. Again, Frs. Kelly and Zapp followed the words together.

Fr. Kelly asked Fr. Zapp, "Did he get it right this time?" Fr. Zapp, trusting that Fr. Jenkins had heard it pronounced correctly the second time through, said "I *think* so." Apparently Fr. Kelly was satisfied with the "I *think* so," because

⁵ In canon law a "qualified witness" is a specific technical term for "any sworn official occupying public office giving testimony about matters pertaining to his office." (See H. Jone, *Commentarium in Codicem Iuris Canonici*, [Paderborn: 1950-55] canon 1791, 3:165.) It has nothing to do with being present at sacramental rites to insure their validity. Fr. Kelly confused this term with Jone's and the Code of Canon Law's recommendation that a witness be present "if possible" (*si fieri potest*) in a case where a layman confers "private" baptism in danger of death. "Private" baptism is another technical term, referring not to the number of people present but to the ceremonies employed.

there was no attempt to have Fr. Jenkins stop the bishop again.

At the time, Fr. Zapp had no worries about the validity of the sacrament. It was only a few years later, when some of the other information about the ordination began to come out, that he realized the gravity of the problem.

Fr. Zapp added: "There was absolutely no mention again of this fiasco – in my presence anyway – except, when returning to the sacristy (after the disaster of a ceremony), Fr. Kelly and I looked at each other, shaking our heads, and he said to me, 'I'll *never* do this again!'"

B. Father Kelly's Account. After the death of Bishop Mendez in 1995, SSPV announced that Bp. Mendez had not only performed the 1990 ordinations, but in October 1993, had also secretly consecrated to the episcopacy Fr. Kelly, the SSPV Superior.

The circumstances surrounding Bp. Kelly's 1993 consecration, it was immediately noted, had a great deal in common with the circumstances surrounding the 1981 episcopal consecrations conferred by Abp. Thuc – which consecrations the erstwhile Fr. Kelly had for years been denouncing as invalid. In 1997, therefore, Bp. Kelly published *The Sacred and the Profane*, a 300-page book devoted in its entirety to trying to distinguish the two – justifying Bp. Mendez and himself ("The Sacred"), and condemning Abp. Thuc and others ("The Profane").⁶

On page 210 and following, Bp. Kelly gave his own lengthy version of what transpired at the 1990 priestly ordinations. He confirmed that Bp. Mendez had indeed pronounced the essential form twice. At the same time, however, Bp. Kelly tried to put to rest the worries occasioned by Fr. Zapp's

⁶ It did not perhaps occur to Bp. Kelly that the need to expend 300 pages explaining "differences" merely proved that the similarities were obvious. The pharisaism of some arguments is even unintentionally amusing, such as Bp. Kelly's attempt on pp. 41-51 to explain away a 1981 certificate of episcopal consecration that Abp. Thuc had written out in Latin and in his own hand. Clearly, Bp. Kelly is a man who's got a whole lot of 'splainin' to do...

eyewitness account of Bp. Mendez garbling the sacramental form.

But Bp. Kelly's telling of the story would not ultimately have reassuring effect that he intended.

III. Change in Meaning: "Quæ Sumus"

In 2000, three years later, I was preparing to teach my course on the sacraments at Most Holy Trinity Seminary (then located in Warren, Michigan). The course begins with an overview of the general principles that moral theology and canon law lay down for the conferral of sacraments.

For some reason, Bp. Kelly's account of the 1990 ordinations from *The Sacred and the Profane* came to mind as I was reviewing my teaching notes on defects in a sacramental form – that is, what kinds of changes in the wording render a sacrament doubtful or invalid.

Putting my notes side-by-side with the passage in Bp. Kelly's book led me to do a bit more research in other commentaries on the sacraments. I then sent the following letter to the local SSPV priest in Cincinnati, the Rev. William Jenkins. (The Latin quotes have been translated.)

November 4, 2000

Dear Father Jenkins,

In preparing for my *Jus Sacramentarium* course at Warren, I happened to recall something disturbing about Bp. Kelly's written account of the September 1990 ordinations.⁷

Seeking to discredit Fr. Zapp's recollections that Bp. Mendez had somehow garbled the essential sacramental form, Bp. Kelly wrote that the confusion arose over the word *quaesumus*, which, in the *Pontificale* Bp. Mendez was using, was hyphenated in the middle, so that *quæ* appeared on one line in the Pontifical and *sumus* on the next. According to Bp. Kelly:

"As Bishop Mendez read the words of the form, he placed his right index finger on the book at the beginning of the form which had been marked. He then carefully, deliberately and slowly pronounced each word. When he [Bp. Mendez] came to the word '*quaesumus*,' which was

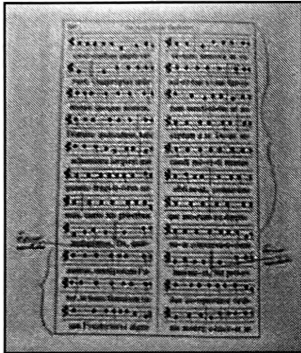
⁷ C. Kelly, *The Sacred and the Profane* (Round Top NY: Seminary Press 1997).

hyphenated, he pronounced ‘*quae*’ then moved his finger to the beginning of the next line and pronounced ‘*sumus*.’ When I heard the syllables pronounced separately, I was startled and thought that Bishop Mendez had made a mistake.” (*The Sacred and the Profane*, 210ff.)

Bp. Kelly related that he then informed you, and that Bp. Mendez repeated the form:

“Again, he pronounced the word ‘*quaesumus*’ as he had done before. And again I thought he had made a mistake. It was clearly a case of my being too careful. I again told Fr. Jenkins who spoke to Bishop Mendez. But Bishop Mendez knew he had not made a mistake and he let us know it. But I still thought he had made a mistake.” (*Ibid.*)

From these passages it seems clear that Bp. Mendez mispronounced the beginning of the essential sacramental form as “*Da quæ sumus*”, rather than “*Da, quæsumus*”.



When I first read this account, I thought nothing more of it – perhaps just an amusing example of sloppy pronunciation by a typical American bishop with rusty Latin.

Last month, however, I came across the following passage in Halligan’s *The Administration of the Sacraments* (photocopy enclosed):

“Regarding corruption or change in the sacramental form... The separation of individual words or of syllables does not constitute a substantial alteration, unless the interval is long enough to alter the meaning of the sentence (more easily admissible when syllables are separated). In such a case, the moral unity of the form as one complete prayer is destroyed by the interruption, and also by such grammatical changes or mistakes as could actually change the meaning of the form. Substantial alteration may also be risked by faulty articulation or by clipping words through haste. In practice, where a complete word is de facto interrupted through a pause between syllables, it is advisable to repeat the word, unless the interruption is extremely slight.”⁸

The teaching of other authors (photocopies also enclosed) is similar:

“Separating syllables changes the meaning [of a sacramental form] far more easily than separating the words, so that even a moderate separation would render the sacrament either invalid or at least doubtful.” (Cappello)⁹

⁸ Halligan, 16.

⁹ F. Cappello, *Tractatus Canonico-Moralis de Sacramentis* 4th ed., (Turin: Marietti 1945) 1:15-6. “Interruptio syllabarum longe facilius, quam verborum interruptio, sensum immutat, ita ut etiam modica vel nullum reddat sacramentum vel saltem dubium.”

“Grammatical errors generally do not change the form substantially, unless a clearly different meaning results from it, or the words become completely different.” (Regatillo)¹⁰

“Through corruption or speed or stuttering [a change in the sacramental form is merely] accidental. But it is substantial [*secus*] if the meaning completely disappears, e.g., by saying ‘Hic’ (as an adverb) *est corpus meum...*” (Aertnys-Damen)¹¹

In light of these principles, Bp. Kelly’s account of how Bp. Mendez recited the essential form at the September 1990 ordination is very, very troubling:

(1) The change involved an interruption of syllables, which “far more easily changes the meaning, so that even a small [interruption] would render the sacrament invalid or at least doubtful.”

(2) The words do become “altogether different.” The object of the imperative form of “give” is changed from “the dignity of priesthood” to “the things we are.” Thus:

“Grant, we beseech [Thee], unto these, thy servants, the dignity of the priesthood...”

-- becomes --

“Grant the things we are unto these, Thy servants, the dignity of the priesthood...”

(3) The change does “altogether take away the meaning” from the form.

All this seems to indicate that the use of *quae sumus* in place of *quaesumus* represented a substantial change in the form, which – I need hardly point out – would render the ordination invalid, or at best doubtful.

Far be it from me to tell all of you what to do. But if I were you, I would think seriously about arranging a conditional ordination.

Normally such a course of action would be pursued discreetly. However, Bp. Kelly published an extensive and detailed account of this error in his book. If one person noticed that the error was substantial and therefore invalidating, others will eventually notice it too.

It would be better to rectify the ordination and let people know.

Yours in Christ, etc.

¹⁰ E. Regatillo, *Jus Sacramentarium* 2nd ed., (Santander: Sal Terræ 1949), p. 6. “Errores grammaticales generatim formam substantialiter non mutant, nisi inde sensus plane diversus oriatur, vel verba omnino diversa fiant.”

¹¹ Aertnys-Damen, *Theologia Moralis* 18th ed. (Turin: Marietti 1952), 2, p. 15. “Per corruptionem, ob præcipitantiam aut balbutiem - - accidentalis; secus, si tollatur omnino sensus, dicendo, e.g. Hic (adverbialiter) est corpus meum...”

To sum up the main point of my letter to Fr. Jenkins: If we take at face value Bp. Kelly's account of the 1990 ordination, the way Bp. Mendez separated the syllables of a word (*quæsumus*) substantially changed the *meaning* of the sacramental form from "Grant... **the dignity of the priesthood,**" to "Grant **the things we are...**"

According to the principles of sacramental theology outlined above, a *substantial* change in meaning renders a sacrament invalid, or at best doubtful.

Such principles, by the way, are not designed to make the sacraments an exercise in nit-picking. The rules about sacramental forms are intended to insure the opposite: that, no matter *how* incompetent a Catholic minister may be in performing the rest of the rite, the bare minimum he needs to get right to confer the sacrament validly is *very* little and *very* easy.

But if even that *minimum* is not there, the rite ceases to be a sign and by definition cannot confer the sacramental grace.

IV. Singular or Plural Form?

Before I heard back from Fr. Jenkins, the Rev. Joseph Collins, a fellow former-SSPV colleague, discovered another unsettling point in *The Sacred and the Profane*.

Bp. Kelly, intending to reassure those who heard Fr. Zapp's account, says that the essential form "was marked so that it was easily distinguishable from the rest of the text of the Preface. It was enclosed in brackets and the words *Forma essentialis* were written in the margin on both sides of the page."¹² In a footnote, he refers readers to Appendix A of his book for "a facsimile copy of the actual page from the *Roman Pontifical* used by Bishop Mendez" at the 1990 ordination.

Fr. Collins, ever the eagle-eyed proofreader, noticed that the facsimile in the Appendix (p. 274) was actually the

¹² *Sacred and the Profane*, 210.

singular form (for ordaining **one** priest), rather than the **plural** form (for ordaining **two or more** priests).

If this page in the *Pontifical* was in fact what Bp. Mendez used, this raises *another* question: Is using the *singular* form for conferring the Sacrament of Holy Orders sufficient to confer it on *two or more* candidates?

By analogy with what the *Roman Ritual* prescribes for baptism, it would seem that the singular form is *not* sufficient. In the case of an emergency, one can validly baptize several candidates simultaneously, but the *plural* form is prescribed¹³ – *Ego vos baptizo...* The reasoning, no doubt, is that the recipient of the sacramental grace must be sufficiently designated in the form.¹⁴ Likewise, to absolve a large group of penitents in an emergency, the plural form, rather than the singular (*vos* rather than *te*) is prescribed.¹⁵

When word of the singular-plural mix-up circulated, SSPV sent out **another** facsimile of the form in the **plural**, claiming that *this* text was the one Bp. Mendez had in fact used for the 1990 ordination, and that wrong page from the *Pontifical* had been reproduced in Bp. Kelly's book "due to an editor's mistake."

As someone who since 1993 has spent countless hours researching, organizing and personally overseeing ordination rites, as well as studying various editions of the *Pontifical*, I am *very* skeptical of this explanation.

Many older editions of the *Pontifical* (such as the one Bp. Mendez used) are confusing to use due to their typesetting and layout. The title and page headers for the priestly ordination rite sometimes appear in the **singular** (*De Ordinatione Presbyteri* – "For the Ordination of **a Priest**"), even when the text of the accompanying rite is the one used for **two or more** priests and is in the **plural**.

This was the case with both facsimiles Bp. Kelly reproduced. Though the text of the first was singular and the se-

¹³ Halligan, 34-5, 73.

¹⁴ If in conferring a baptism, for instance, the priest omits "thee" from the form, saying only "I baptize in the name of the Father..." etc., the rite is invalid.

¹⁵ Cappello, 2:169.

cond plural, the headers were identical and in the singular. Unless you really understand Latin and know the rites inside out – and the last time Bp. Mendez, then 82, would have ordained *anyone* in Latin with the old rite would have been 22 years earlier at *best* – it would be very easy to mix up the singular and plural texts during a ceremony.

And in any case, Bp. Kelly **himself** did not notice that he printed the singular text in **his own book** – his 300-page magnum opus, written as the final vindication of Bp. Mendez. If Bp. Kelly did not recognize the singular text in *print* until it was pointed out, his later claims that the plural text was used at the *ceremony* nevertheless are not particularly reassuring.

V. A THIRD Pronunciation and a SECOND Book

Nearly eight months later, in a letter dated June 28, 2001, Fr. Jenkins finally replied to my letter of November 4, 2000.

Although I had not mentioned the singular-plural problem, Fr. Jenkins volunteered that wrong page of the *Pontifical* was printed in Bp. Kelly's book, and that "the plural formula was used. Again, I was in a position to know and have sworn to that fact."

Fr. Jenkins confirmed that Bp. Mendez had pronounced the sacramental form once and then repeated it a second time when asked. Fr. Jenkins insisted that, "Bishop Mendez had pronounced the form exactly and correctly."

However, Fr. Jenkins then added two *new* details that confused matters still further:

- After the second time Bp. Mendez pronounced the form, Fr. Kelly was still worried it had not been done correctly and compelled Bp. Mendez to recite it yet again – a **third** time.
- For this, said Fr. Jenkins, Bishop Mendez "called for the small book of ceremonies he had brought with him and thence repeated the form from his own book." This **second book**, unmentioned in any

account and not identified by Fr. Jenkins, appears and is used for the form.

So, a third pronunciation and a second book suddenly materialize – eleven years after the fact!

However, Fr. Zapp – designated by Fr. Kelly as the “qualified witness” to the ordination – **denied** that Bp. Mendez pronounced the form a third time.

“No way was there a third try at the form!” said Fr. Zapp. “For one thing, the already disturbed Mendez would have blown a gasket.”

VI. Two Pronunciations, then Three

The most recent version of the story came from Albert Russo. In the 1980s Mr. Russo was a seminarian in the Society of St. Pius X when I was a member. Though he was never ordained, he was present for the 1990 ordination, and he now teaches at Bp. Kelly’s seminary in Round Top NY.

In a casual conversation with Bishop Donald Sanborn in July 2006, the topic of the 1990 ordinations came up. Mr. Russo said that Bp. Mendez had pronounced the sacramental form **twice** – as indeed Bp. Kelly’s book and Fr. Zapp had related.

Subsequently, however, Mr. Russo informed Bp. Sanborn that he had spoken with Fr. Jenkins, and that there had been **three** pronunciations of the form.

VII. A Summary

We will now try to put all this together:

(1) According to the principles of canon law and sacramental theology, when Bishop Mendez conferred Holy Orders in 1990 using the Church’s traditional ordination rites, the sacrament he conferred automatically enjoyed the presumption of validity.

(2) Nevertheless, the same principles of canon law and moral theology would dictate that this ordination must be

treated as invalid if a *substantial* defect occurred (or even probably occurred) in one of the three essential elements of the sacrament (matter, form or intention) when Bp. Mendez performed the rite.

(3) Successively over the years since the 1990 ordination, participants have offered several conflicting accounts about how Bp. Mendez pronounced the essential sacramental form.

(4) Fr. Zapp claimed that Bp. Mendez pronounced the sacramental form **twice**, but **quickly** and **garbled** it.

(5) Bp. Kelly claimed that Bp. Mendez pronounced the sacramental form **twice**, but **carefully** and **correctly**.

(6) In an attempt to refute Fr. Zapp's account, however, Bp. Kelly claimed that Bp. Mendez **separated the syllables** of the word "quæsumus" (we beseech Thee) in the essential form.

(7) This, however, turned **one Latin word** into **two words**, changing the phrase "Grant, we beseech Thee... **the dignity of the Priesthood**," to "Grant **the things that we are**...", thus substantially corrupting the meaning of the essential sacramental form required for the validity of a priestly ordination.

(8) To support his version of events, Bp. Kelly reprinted in his book **a facsimile of the actual form** Bp. Mendez supposedly used, **taken from the book Bp. Mendez used**.

(9) This form reproduced from the *Pontifical*, however, was the **singular** form for ordaining **one** priest, instead of the **plural** form for ordaining **two or more** priests.

(10) Had the singular form indeed been used, this would introduce **another** defect in the form, because (1) a sacramental form must specify who is receiving the sacramental grace, and (2) when the minister of baptism or penance confers those sacraments in an emergency on plural recipients simultaneously, he is required to use the plural form.

(11) When it was pointed out that Bp. Kelly had printed the singular form in his book, he issued a **second facsimile of the form**, this one in the **plural**. He claimed that *this* version was the one actually used, and he blamed the first facsimile on "an editor's mistake."

(12) In 2001 Fr. Jenkins claimed that Bp. Mendez had pronounced the form **exactly and correctly**.

(13) Fr. Jenkins also claimed that Fr. Kelly compelled Bp. Mendez to pronounce the form a **third** time, something unmentioned in previous accounts.

(14) However, Fr. Zapp, who was standing six feet away from Bp. Mendez at the ordination, insisted that there was **no third pronunciation**.

(15) Fr. Jenkins also claimed that, for this third time around, Bp. Mendez used a previously-unmentioned and unidentified **second book** that was brought out from the sacristy.

(16) Mr. Russo first claimed that Bp. Mendez pronounced the sacramental form **twice**, but having spoken with Fr. Jenkins, subsequently said Bp. Mendez pronounced it **three times**.

These confusing alternatives can be further reduced to the following chart:

Mode of Pronunciation?

1. Quickly and garbled. (Zapp)
2. Carefully and correctly. (Kelly)
3. Syllables separated: *quæ sumus*. (Kelly)
4. Exactly and correctly. (Jenkins)

Number of times pronounced?

1. Twice. (Zapp, Kelly)
2. Three times. (Jenkins)
3. No third time. (Zapp)
4. Twice or three times. (Russo)

Grammatical Number?

1. Singular form. (Kelly book)
2. Plural form. (Kelly flyer, Jenkins letter)

Ritual Book Used?

1. *Pontifical*. (Kelly book and flyer, Jenkins)
2. Unidentified book. (Jenkins for 3rd time)

VIII. The Practical Conclusion

Before we offer this, a brief observation is in order.

Over the years, Bp. Kelly has enunciated various standards by which he has judged to be invalid the ordinations and consecrations of many traditionalist priests and bishops. In the case of the 1990 ordinations, how does he himself measure up to these standards?

In *The Sacred and the Profane*, Bp. Kelly dismisses the witnesses to the Thuc consecrations as unreliable because several years thereafter one of them misidentified the ritual book used.¹⁶ Yet for the 1990 ordinations, Bp. Kelly himself did not notice that he printed the wrong version of the sacramental *form* in his own book.

In the same book, Bp. Kelly pronounced the Thuc consecrations doubtful because the witnesses “had not been properly prepared as witnesses,” and “could not testify that the matter and form had been ‘correctly applied,’ or indeed applied at all.”¹⁷ “A witness should be a witness,”¹⁸ Bp. Kelly solemnly declared. “The inability of the witnesses to testify that correct matter and form were applied is cause for serious concern.”¹⁹

A hundred pages later, however, Bp. Kelly inadvertently revealed an invalidating defect in the sacramental form during the 1990 ordination – a defect he himself neither recognized in his capacity as “qualified witness” during the ceremony, nor even noticed later when writing an account intended to vindicate the validity of the ordination.

Bp. Kelly, therefore, has no business passing judgment on

¹⁶ See Kelly pp. 55-59.

¹⁷ p. 62. See also pp. 52-55.

¹⁸ p. 61.

¹⁹ p. 55.

either “qualified witnesses” or the validity of ordinations and episcopal consecrations. His own book is a permanent memorial to the fact that he doesn’t know what he’s talking about.

That said, if we were facing only two *slightly* different versions about *one* detail in the 1990 ordination, we might be able to ascertain what actually went on. But this affair is a total mess. Contradictory accounts, explanations that produce more problems, “editor’s errors,” events that emerge ten years later, a previously unheard-of book, and so on – there is *no* way to sort it all out.

Nevertheless, one point does emerge: There is enough evidence from participants to conclude that, during the September 1990 ordination, Bp. Mendez probably mispronounced the essential sacramental form in such a way as to invalidate the rite. This difficulty is compounded by the prospect of another potentially invalidating defect: the use of the singular form, rather than the plural.

As a result, there is a positive doubt as to whether the two priests, the Revs. Joseph Greenwell and Paul Baumberger, are validly ordained.

The only solution to this problem is the practical one I hinted at in my letter to Fr. Jenkins, and then directly recommended to Fr. Greenwell: both Fr. Greenwell and Fr. Baumberger must submit to another ordination.

The canonist Regatillo provides the general principle to be followed: “There is an **obligation** to correct a defect: First, **if it concerned something either certainly or probably essential...** Manner of correction: a) If the defect concerned something either certainly or probably essential, **the entire ordination must be repeated**, either absolutely or conditionally.”²⁰

Further, even if one were to maintain that the ordination was not *certainly* invalid, but merely *doubtful*, the same course of action must nevertheless be followed: “A doubtful

²⁰ Regatillo, 874. My emphasis. “*Obligatio* est defectus corrigenda: 1. Si fuit circa certo aut probabiliter essenziale - - *Modus*: a) Si defectus fuit circa certo vel probabiliter essenziale, tota ordinatio repetenda est, *absolute* vel *sub conditione*.”

ordination, at least in practice, must be repeated again conditionally in its entirety.”²¹

Under normal circumstances, the repetition of an ordination “should take place privately and in secret, especially if there would be scandal.”²² This norm was aimed at sparing the laity from worry, and preserving the reputation of both the bishop who had performed the defective ordination and the ordinand who had received it.

The current case is different. The evidence for the defects appears in Bp. Kelly’s book. It is therefore not only public already, but *permanently* so. If I stumbled across it, someone else will one day, and unless the resolution of the matter is publicized adequately, a cloud will always hang over the 1990 ordination.

For this reason, I think that the repetition of the ordination should be public, or at least sufficiently well publicized and documented. If the two priests have *already* submitted to another ordination, this, too, should similarly publicized. In both cases, this would resolve the existing doubts, and reassure the faithful who in the future receive sacraments from these priests that they may do so securely.

Finally, the principles of moral theology forbid the reception of doubtful sacraments outside of danger of death. Therefore, until such time as the Society of St. Pius V provides convincing proof that the two priests ordained by Bp. Mendez in 1990 have undergone a repetition of their ordination, the faithful should neither assist at their Masses, receive sacraments from them, nor receive the Eucharist from tabernacles in the churches they serve.

For all the foregoing reasons, therefore, the re-ordination should take place as soon as possible.

²¹ J. Nabuco, *Pontificalis Romani: Expositio Juridico-Practica* (New York: Benziger 1944) 1:203. “Ordinatio dubia, licet in praxi tantum, est iterum per integrum sub conditione repetenda.”

²² Nabuco 1:203.

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BP. WILLIAMSON'S MEN- TEVACANTIST ERROR

Ratzinger a Heretic? No, Just a Sick Mind

Rev. Anthony Cekada

2006

The Most Rev. Richard N. Williamson, Rector of the Society of St. Pius X's seminary in La Reja, Argentina, is, by general agreement, a colorful character.

In an August 2006 interview with Stephen Heiner, later published in the SSPX publication *The Angelus*, His Excellency responded to questions on a broad range of subjects, and did not fail to live up to his reputation.

One topic Bp. Williamson discussed at some length was sedevacantism. Now in 1980, when I still was a member of the Society of St. Pius X and he was still a simple priest, we had a number of very lively discussions about this.

Fr. Williamson explained to me his theory about why John Paul II could *not* be a true heretic, and hence could *not* automatically lose the papal office, as sedevacantists like myself contend. "Half of John Paul II's brain is liberal, and half is Catholic," he told me, "So he doesn't really *know* that what he says is not Catholic!"

It struck me as a perfectly loony idea then – a modernist is *not responsible* for heresy *because* he's a modernist? I christened it "mentevacantism," from the Latin words for "vacant mind."

In his recent interview, Bp. Williamson is still promoting mentevacantism as an answer to sedevacantism. His current explanation of the theory goes something like this:

Benedict XVI has a "sick" modern mind. For this reason, Benedict is *unaware* of his heresy. Since there is no church authority to *make* him aware of it, Benedict cannot make a *true* choice between dogma and heresy. Without this true choice, Benedict is not a real heretic, and so he remains a true pope.

Below I will present Bp. Williamson's mentevacantist thesis and then offer my own analysis of it.

I. Sick Mind, No Heresy

The argument that Bp. Williamson seeks to refute is that of sedevacantists like myself. The general theological principle behind sedevacantism is found in many standard manuals of dogmatic theology and canon law. It can be expressed this way:

Divine law excludes a public heretic from being validly elected pope and obtaining papal authority. A pope who would become a heretic, moreover, would by **divine law** automatically fall from office without the need for any declaratory sentence. And in either case, it is the **sin** of heresy that renders a heretic incapable of becoming or remaining pope.

Bp. Williamson understands this principle and indeed articulated it very clearly in the interview with Mr. Heiner:

“To be such a heretic as to so put oneself out of the Catholic Church that one cannot possibly any longer be its head, i.e. Pope, one must know that one is denying what one knows to be a defined dogma of the Catholic Faith, because such a denial amounts to deliberate apostasy. To become, or to continue being, a Catholic, is a choice. If I know what a Catholic must believe in order to be Catholic, and if I refuse to believe it, then I am choosing to be a heretic instead of a Catholic, and I put myself outside the Church.”

Bp. Williamson, however, seeks to defeat the sedevacantist argument by demonstrating that this principle cannot be applied to Benedict XVI, because:

“Modern minds are very sick, as minds, and Benedict XVI has a modern mind - - The sickness consists in believing that there is no fixed, objective truth which absolutely excludes error. - - The ‘truth’ is what my mind makes it. But the mind is made for objective truth like lungs are made for oxygen, so just as lungs without external oxygen are sick to death, so a mind with no external truth is sick to death.

Benedict XVI believes that Catholic ‘truth’ can evolve. For instance, very serious statements of Catholic truth that cannot

change, like the *Syllabus* or *Pascendi*, - - He cannot see that this anti-modern Catholic doctrine of his predecessors is of such a nature that it cannot change, and not even as Pope can he change it. His poor mind, however gifted, is sick with that modern – especially German – philosophy - - How could he not think he was being ‘normal’?”

Modern philosophy, in other words, empties the mind of the capacity to recognize truth – and absolves the individual of responsibility.

From these statements, Bp. Williamson intends readers to conclude that a generalized “sickness of the modern mind” completely removes culpability for heresy and obliterates its effects for a heretical pope. Welcome to mentevacantism!

Bp. Williamson is aware, however, the more perceptive among his readers would dismiss this excuse as merely a more refined version of one of the tenets of modern liberalism – evil is *really* produced by a sick society, and therefore individuals are not personally responsible for actions.

To cut this objection off at the pass – pardon the cowboy analogy – Bp. Williamson then summons up “the old days.” The difference between then and now, he says, is that a modernist such a Ratzinger would be summoned before the Holy Office, and told to retract, or else:

“And the neo-modernist would have had to choose, having been made aware, *by Church authority*, of his heresy. - - But this last resort is unavailable to today’s churchmen, because they are the authority!”

No warnings, no heresy!

Now here, we pause to explain what comes next: the Williamson I’m-Not-Saying-That trick. He has snookered questioners with it countless times in the past. Here’s how it works:

Bp. Williamson is carrying on at great length about some topic, and he has grandly laid down some false general principle (or a madcap analogy) and applied it to a particular case. A questioner – a seminarian, an interviewer, a layman

in the parish hall – then invites him to Draw The Logical Conclusion For All Cases, M'Lud.

And this is just what Mr. Heiner does by asking the bishop: “Then churchmen such as Benedict XVI are completely *innocent* of what they are doing?”

And sure enough, Bp. Williamson immediately answers: “I did not say that.”

Of *course* you didn't, Your Excellency! Because you would then articulate the logical but *obviously* idiotic conclusion – that heretics are *not* culpable for their heresies. This, in turn, would demonstrate to all but the dumbest trad that your general principle was complete *hogwash*.

Having pulled The Trick on Mr. Heiner, Bp. Williamson then wheels away from the obvious idiocy and instantly switches another topic: whether Benedict XVI is “refusing graces” given to him because he is an authority in God's Church.

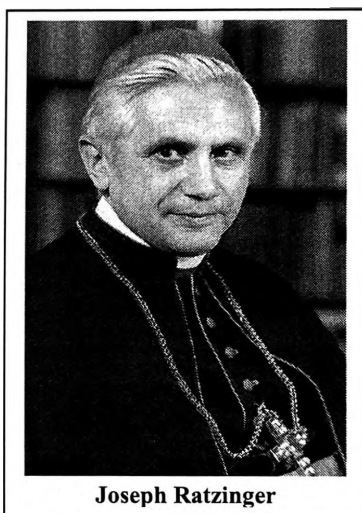
(This is a circular argument, by the way: Benedict XVI can't lose his authority, because he possesses authority.)

Thus Bp. Williamson's exposition of the mentevacantist thesis:

A heretic (Ratzinger) remains pope because a sick mind (the result of bad modern philosophy) prevented him from noticing his heresy, and no one was around to warn him.

Ratzinger's not a *heretic*. He just suffers from theological attention deficit disorder...

It's vintage Bp. Williamson: Glib, self-assured, balanced-sounding, slightly pop, delivered (no doubt) with a cut-glass English accent – and jam-packed with false principles contradicted by the pre-Vatican II manuals of dogmatic theology and canon law.



Joseph Ratzinger

II. Mentevacantism Refuted

A. The “Sickness” Proves Ratzinger is a Heretic

Bp. Williamson describes the symptoms of Ratzinger’s “sickness” with expressions like the following:

“The sickness consists in believing that there is no fixed, objective truth which absolutely excludes error. - - Benedict XVI believes that Catholic ‘truth’ can evolve. - - He cannot see that this anti-modern Catholic doctrine of his predecessors is of such a nature that it cannot change.”

This language, however, far from *excusing* Ratzinger, actually *proves* that he has lost the faith – and is thus no true pope.

This is clear simply from the nature of faith itself. It’s a supernatural virtue that gives you absolute **certitude** about what you believe in – Christ is God, the Catholic Church is the one true Church, sacraments give grace, etc.

The “sickness” Bp. Williamson attributes to Ratzinger, on the other hand, **excludes** such certitude – “there is no fixed, objective truth” to believe in, because truth evolves. So in Ratzinger’s system one of the necessary elements (“properties”) of faith is **missing**. Taking “certitude” out of faith is like removing hydrogen from water: the water ceases to be.

(And in Bp. Williamson’s honor, we’ll throw in the appropriate scholastic axiom here: *Negatio proprietatum est destructio naturæ* – Deny the properties of something and you destroy its nature.)

So, the virtue of faith (truth unchanged = certitude) and the Ratzinger disease (truth evolving = no certitude) are a sure sign that Ratzinger lacks the faith.

And for a pope, what are the consequences? “He would automatically lose pontifical power,” Cardinal Billot explains, “because, having become an unbeliever [*factus infidelis*], he put himself outside of the Church by his own will.”¹

¹ *De Ecclesia Christi* (Rome: Gregorian 1927), 1:632.

So the very “sickness” Bp. Williamson would use to *excuse* Ratzinger from heresy instead *convicts* Ratzinger of it – and strips him of the papacy. Put bluntly:

- No certitude = no faith.
- No faith = no Catholic.
- No Catholic = no pope.

B. Ratzinger Condemned by His Oath

Bp. Williamson argues that Ratzinger is likewise not culpable for his heresy because:

“Benedict XVI believes that Catholic ‘truth’ can evolve. For instance, very serious statements of Catholic truth that cannot change, like the *Syllabus* or *Pascendi*, he calls merely ‘substantial anchorages’ in Church doctrine, meaning that the Church could anchor there, and usefully anchored there for a while, but in modern times the Church needs new ‘substantial anchorages’ in doctrine.”

Here, by attributing to Ratzinger an explicit belief in dogmatic evolution, Bp. Williamson unwittingly drives another nail into the heretic’s coffin.

Pope St. Pius X’s *Pascendi* and *Syllabus* **condemn** the evolution of dogma as a modernist **heresy**. And Ratzinger, before he was ordained subdeacon, swore on the Gospels the Anti-Modernist Oath to reject and condemn this error.

By taking this oath, seminarian Ratzinger publicly affirmed that he knew the rule of faith. He thus became culpable for the sin of heresy committed against it:

“From the moment that one sufficiently knows the existence of the rule of the faith in the Church and that, on any point whatsoever, for whatever motive and in whatever form, one refuses to submit to it,” says the canonist Michel, “**formal heresy is complete.**”²

² “Hérésie, Hérétique,” *Dictionnaire de Théologie Catholique* (Paris: Letouzey 1909-), 6:2222.

So Ratzinger possessed sufficient knowledge.

Once again, Ratzinger's "sickness" – belief in the evolution of dogma – *condemns* him as a heretic rather than *excuses* him.

C. A Crazy Pope Loses Office

Bp. Williamson's absurd equation of bad philosophy with a sort of mental illness paints a picture of Ratzinger utterly divorced from reality:

"His poor mind, however gifted, is sick with that modern – especially German – philosophy which unhooks the mind from its object, like cutting off lungs from oxygen."

But this particular attempt to exculpate Ratzinger for heresy leads to *another* problem Bp. Williamson did not foresee: "Crazy" cuts both ways.

Barred as incapable of being validly elected [pope] are - - those afflicted with habitual insanity. - - By falling into certain and perpetual insanity, the Roman Pontiff would automatically lose pontifical jurisdiction - - For the certain and perpetual insanity of the Roman Pontiff (not doubtful or temporary) is the equivalent to death, and through death the Roman Pontiff certainly loses his jurisdiction.³

So if Ratzinger is too crazy to be a heretic, he is also too crazy to be a real pope.

D. Confusing "Sin" with "Crime"

Bp. Williamson implies that professing heresy has no consequences for a heretic – and particularly for a heretical pope – unless and until the heretic is somehow *warned*.

"In the good old days," Bp. Williamson says, "a Catholic Pope put very intelligent and orthodox theologians in the Holy Office, formerly known as the Inquisition, and these

³ Wernz-Vidal, *Jus Canonicum* (Rome: Gregorian 1938), 2:415, 2:452.

would interrogate a neo-modernist thus: You have written that *Pascendi* is only a 'substantial anchorage'. This amounts to heresy. Either you retract, or the Pope has authority to excommunicate you. Kindly choose."

This statement, however, demonstrates that Bp. Williamson has confused the distinction that canonists make between two aspects of heresy:

- 1) **Moral** – heresy as a **sin** (*peccatum*) against **divine** law.
- 2) **Canonical** – heresy as a **crime** (*delictum*) against **canon** law.

The moral/canonical distinction is easy to grasp by applying it to something we are all a bit more familiar with, abortion. There are two aspects under which we can consider abortion:

- 1) *Moral*: Sin against the 5th Commandment that results in the loss of sanctifying grace.
- 2) *Canonical*: Crime against canon 2350.1 of the Code of Canon Law that results in automatic excommunication.

In the case of heresy, warnings only come into play for the *canonical crime* of heresy. These are not required as a condition for committing the *sin* of heresy against the divine law.

The canonist Michel draws the clear distinction for us:

Pertinacity does not of necessity include long obstinacy by the heretic and **warnings from the Church**. A condition for **the sin** of heresy is one thing; a condition for **the canonical crime** of heresy, punishable by canon laws, is another.⁴

It is a pope's public *sin* of heresy in this sense – the offense against *God's* law – that strips him of Christ's authority.

So the warnings that Bp. Williamson envisions are not necessary conditions for concluding that Ratzinger is a true

⁴ "Hérésie," in DTC 6:2222.

heretic and therefore no true pope.

* * * * *

At this point, a question naturally occurs: Why in the world does *no* one in the Society, especially a reputed brain like Bp. Williamson, ever seem to recognize such seemingly fundamental errors and correct them?

The reason is the Society of St. Pius X's party-line mentality. When you join the organization, you are expected to honor the received notions (*données*) formulated during The Era of the Archbishop.

So, as I have pointed out elsewhere, a member of the Society must reverently repeat the "positions of the Society" on its nature (society of common life without vows), its suppression (invalid), the New Mass (evil, but illegally promulgated), Vatican II (not binding), resisting a true pope (justified by theologians, the pope is like a "bad dad"), sedevacantism ("schismatic," non-Catholic), Abp. Lefebvre's excommunication ("Rome says No!"), etc.

All theological research and writing is useful and encouraged only insofar as it confirms the party line on each of these points. Independent thought, or loyalty to some principle above the Society (in dogma, canon law, etc.) is proof of "un mauvais esprit" (a bad spirit) and grounds for the ticket to Mumbai.

So, as a colleague and former SSPX member pointed out in 1984, the only people who survive long-term in SSPX are those who do not think.

What the Society treats as *particularly* toxic is standard ecclesiology – those areas of Catholic dogmatic theology that explain the nature of the Church, the authority of the pope, and the need to be visibly united to both. SSPX seminarians are taught about these topics, I have been told by SSPX members, from "notes" formulated by SSPX seminary professors in Europe, rather than from the pre-Vatican II manuals of dogmatic theology. Too hot to handle, no doubt.

Seen in this light, the absurd argument Bp. Williamson

proposes to excuse Ratzinger's heresy and thus avoid the inevitable consequences thereof – a sick mind – fits in perfectly. Loyalty to the party line above all!

So when Bp. Williamson concluded his interview by singing a few lines from the musical *Oklahoma* – “There is wisdom in opera and even in musicals!” he says – another song came to mind, this one from Gilbert and Sullivan's *HMS Pinafore*. Perhaps when he's in a singing mood, His Excellency should try a few bars from the song sung by Sir Joseph Porter, First Lord of the Admiralty:



*I always voted at my party's call,
And I never thought of thinking for myself at all.
(No, he never thought of thinking for himself at all!)*
*And I thought so little, they rewarded me,
By making me the ruler of the Queen's Na-vee!*

Mentevacantism, ahoy!

The 1968 Rite of Episcopal Consecration STILL NULL AND STILL VOID

Replies to objections from Br. Ansgar Santogrossi,
Fr. Pierre-Marie de Kergorlay and Fr. Alvaro Calderon

Rev. Anthony Cekada

January 9, 2007

In March 2006, I published “Absolutely Null and Utterly Void,”¹ a 14,000-word study that examined the validity of the new Rite of Episcopal Consecration promulgated in 1968 by Paul VI. As should be evident from the title of the article, I concluded that the new rite was invalid.

A number of things led me to write the article: A considerable number of “approved” traditional Latin Masses are now offered under the auspices of dioceses or organizations such as Fraternity of St. Peter or the Institute of Christ the King, and the priests involved trace their ordinations to bishops consecrated in the new rite. If these bishops were not true bishops, the priests they ordained are not priests, and the faithful who assist at their Masses adore and receive only bread.

Moreover, since the election of Benedict XVI in the April 2005 conclave, the Society of St. Pius X (SSPX) has been negotiating with the Vatican for its reintegration into the Conciliar Church. Because many traditionalists doubt the validity of the post-Vatican II sacramental rites, and indeed because Benedict XVI had been consecrated a bishop in the new rite, the SSPX superiors invited Dominican cleric in their orbit, Fr. Pierre-Marie de Kergorlay OP, to produce an article demonstrating that the new rite of episcopal consecration was valid.

Fr. Pierre-Marie’s study first appeared in Fall 2005 in the traditionalist Dominicans’ quarterly *Sel de la Terre*. SSPX promptly had it translated and printed in the SSPX’s English-language publication, *The Angelus*, under the title of

¹ See pp. 278-325.

“Why the New Rite of Episcopal Consecration is Valid.”²

My own article addressed Fr. Pierre-Marie’s main arguments. It was in turn translated into French and widely circulated in France, thanks to the efforts of Rore Sanctifica, a group of European traditionalists who have published a vast amount of documentation demonstrating the invalidity of the new rite.³

I subsequently produced a two-page résumé intended for popular circulation (also translated and circulated in France) entitled “Why the New Bishops are Not True Bishops.”⁴ I also managed (somehow) to give two interviews about the subject on French radio, and I personally sent copies of the article to the French-speaking members of SSPX slated to participate in the July 2006 General Chapter.

Several critical responses to the article have appeared. However, as of this writing (December 2006), only three writers have raised substantive issues that I believe need to be addressed:

- *Br. Ansgar Santogrossi OSB.* Br. Ansgar, a Benedictine brother from Mount Angel Abbey in Oregon and a graduate of the Institut Catholique (Paris), teaches philosophy and theology at diocesan seminary of Cuernavaca, Mexico. His commentary first appeared in *Objections*,⁵ a French publication edited by the Rev. Guillaume de Tanoüarn, a former member of SSPX who now serves an Indult group in France. Another version subsequently appeared in the U.S. traditionalist publication *The Remnant*.⁶

² December 2005-January 2006.

³ www.rore-sanctifica.org. The group’s name is Latin for “sanctify with dew,” a phrase from the essential sacramental form for episcopal consecration prescribed by Pope Pius XII in 1947. Fr. Pierre-Marie’s article was written in response to the first dossier Rore had published on the invalidity of the new rite.

⁴ *St. Gertrude the Great Newsletter*, October 2006.

⁵ “Réponse à l’abbé Cekada sur la validité du nouveau rite d’ordination épiscopale,” *Objections* 6 (June 2006), 36-41.

⁶ “A Refutation of the Sedevacantist ‘Proof’ of the Invalidity of the New Ordination Rites,” *Remnant*, 15 September 2006, 11-12.

- *Fr. Pierre-Marie.* Fr. Pierre-Marie's own response appeared in the form of a short "Note," printed in *Sel de la Terre*.⁷ It was subsequently appended (together with two other brief "Notes") to a reprint of his original article.⁸
- *Rev. Alvaro Calderon.* Fr. Calderon teaches theology at the SSPX seminary in Argentina. His response also appeared in *Sel de la Terre*,⁹ and then in *The Angelus*.¹⁰

The debate over the validity of the new rite of episcopal consecration centers on its **essential sacramental form** – the words in a sacramental rite necessary and sufficient to produce the effect of the sacrament.

Before I turn to the objections of Br. Ansgar, Fr. Pierre-Marie and Fr. Calderon, I will outline some key points in my original argument.

I. Résumé of My Argument

A. Principles regarding Validity

Unlike many other areas in theology, the principles moral theology applies to determine the validity of sacramental forms are very simple and very easy to understand. These are the ones that concern us here:

- 1) In each sacramental rite, there is an essential sacramental form that produces the sacramental effect. When a **substantial change of meaning** is introduced into the essential sacramental form through the corruption or omission of essential words, the **sacrament**

⁷ 57 (Summer 2006).

⁸ *Sont-ils évêques? Le nouveau rituel de consécration épiscopale est-il valide?* (Avrillé, France: Editions du Sel 2006), 75-6.

⁹ "La Validité du rite de consécration épiscopal," 58 (Fall 2006) 213-6.

¹⁰ "The Validity of the Rite of Episcopal Consecration: Replies to the Objections," *Angelus* (November 2006), 42-4.

becomes *invalid* (=does not “work,” or produce the sacramental effect).

- 2) Sacramental forms approved for use in the Eastern Rites of the Catholic Church are sometimes different in wording from the Latin Rite forms. Nevertheless, they are the same in *substance*, and are valid.
- 3) In 1947 Pius XII declared that the form for Holy Orders (i.e., for diaconate, priesthood and episcopacy) must univocally (=unambiguously) signify the sacramental effects – the power of Order and the grace of the Holy Ghost.
- 4) For conferring the episcopacy, Pius XII designated as the essential sacramental form a sentence in the traditional Rite of Episcopal Consecration that univocally expresses (a) the **power of the Order** that a bishop receives and (b) **the grace of the Holy Ghost**.

B. Application to the New Rite

In 1968 Paul VI replaced in their entirety both the consecratory Preface and the essential sacramental form designated by Pius XII. In the new Preface (now called a “Consecratory Prayer”) Paul VI designated the following words as the essential sacramental form,¹¹ and hence required for validity:

So now pour out upon this chosen one that **power** which is from you, the **governing Spirit** whom you gave to your beloved Son, Jesus Christ, the Spirit given by him to the holy apostles, who founded the Church in every place to be your temple for the unceasing glory and praise of your name.

Now, in “Absolutely Null and Utterly Void,” I applied the principles from section A to the foregoing by posing and responding to five simple questions. Here I will mention the two

¹¹ *Pontificalis Romani Recognitio*, 18 June 1968, AAS 60 (1968), 372, 373: “decla-
rare quænam in ritu ad naturam rei pertinere dicenda sunt,” “quorum hæc ad
naturam rei pertinent, atque adeo ut actus valeat exiguntur.”

that figure most directly in the responses from Br. Ansgar, Fr. Pierre-Marie and Fr. Calderon:

1. Eastern Rite? *Was the new form employed in a Catholic Eastern Rite as a sacramental form for conferring the episcopacy?*

I posed this question because throughout his article Fr. Pierre-Marie appealed *repeatedly* – I counted at least a dozen times – to Eastern Rite prayers as ironclad proof for the validity of the Paul VI form.

And referring in particular to the Coptic and Maronite Rites, Fr. Pierre-Marie wrote: “The utilization of the form that is in use in two certainly valid Eastern rites assures its validity.”¹²

It was relatively simple to disprove this claim. All I had to do was consult works that identify the Eastern Rite sacramental forms (e.g., Cappello’s *de Sacramentis* and the first volume of Denzinger’s *Ritus Orientalium*), look up the texts the authors gave as the Coptic and Maronite forms for episcopal consecration, and compare these with the Paul VI form.

Here is what I discovered:

(a) **Length.** The Coptic and Maronite forms consist of long Prefaces (about 340 and 370 words respectively); unlike the Roman Rite, no one sentence in either is designated as the essential sacramental form.

The new Paul VI Consecratory Prayer is 212 words long in its entirety; the passage that Paul VI designated as the essential sacramental form is 42 words long.

So, merely comparing the *length* of these Eastern texts with the Paul VI text, demonstrated that even on the face of it, Fr. Pierre-Marie’s claim was false.

(b) **Coptic Form.** The Paul VI Consecratory Prayer contains many phrases found in the Coptic form. It omits, however, three phrases in the Coptic form that enumerate three specific sacramental powers considered *proper to the order of*

¹² “Why the New Rite...” (Jan 2005), 10.

bishop alone: “to provide clergy according to His commandment for the priesthood - - to make new houses of prayer, and to consecrate altars.”¹³

This omission is significant, because the dispute over the validity of the essential sacramental form of Paul VI revolves around whether it adequately expresses the power of the Order being conferred – i.e., episcopacy.

(c) **Maronite Form.** The Paul VI Consecratory Prayer has *nothing* in common with the prayer Denzinger gives as the Maronite form for episcopal consecration.¹⁴ It has a *few* phrases in common with a prayer that *follows* – but is not part of – the Maronite form.¹⁵

The Paul VI Consecratory Prayer *does*, however, closely resemble another Maronite prayer – one found in the Rite for the Consecration of a Maronite Patriarch.¹⁶ Indeed, Fr. Pierre-Marie reproduces much of this text to support arguments for the validity of the new rite.

However, this *prayer is not a sacramental form for conferring the episcopacy*. It is merely an installation prayer, because the Maronite Patriarch is *already* a bishop when he is appointed.

(d) **Summary.** Having disproved Fr. Pierre-Marie’s principal factual claim and the conclusion – “The utilization of the form that is in use in two certainly valid Eastern rites assures its validity” – I then examined the new rite using other principles that moral theology applies to ascertain the validity of sacramental forms.

2. The Sacramental Effects. *Does the new sacramental form univocally signify the sacramental effects – the power of Or-*

¹³ Translation in O.H.E. KHS-Burmester, *Ordination Rites of the Coptic Church* (Cairo: 1985), 110-1.

¹⁴ H. Denzinger, *Ritus Orientalium, Coptorum, Syrorum et Armenorum* (Würzburg: Stahel 1863), hereafter “RO,” identifies the texts at RO 1:141. See RO 2:23-24 for the texts themselves. It is divided into two sections. According to the rubric in the footnote, the consecrating bishop continues to hold his hand imposed during the part following the interjection of the Archdeacon.

¹⁵ RO 2:198. “Spiritus - - Sanctum, illum principalem.” “expellat omnia ligamina.”

¹⁶ RO 2:220.

der (the episcopacy) and the grace of the Holy Ghost?

The two elements mentioned are those specified by Pius XII (see I.A.3, above), and the form must signify both.

Here, the discussion turns on the meaning of *governing Spirit* (*Spiritus principalis* in Latin, or its Greek equivalent, *hegemonicon pneuma*) in the new essential sacramental form. What does it signify?

(a) **The Holy Ghost?** From the context, *governing Spirit* appears to mean, simply, the Holy Ghost. *Spiritus* is capitalized in the Latin original, indicating the Third Person of the Trinity, and the relative pronoun *quem* (here meaning “whom”) is used, rather than *quam* (which would refer to another antecedent in the form, *virtus*, i.e., power).

However, the grace of the Holy Ghost is only *one* of the required elements.

(b) **The Power of Orders?** To be valid, the essential form must also univocally (unambiguously) signify the power of Order (*potestas Ordinis*) – in this case, the episcopacy.

The only possible term in the form that might signify this is likewise *governing Spirit*. Does it univocally signify the power of Order conferred upon a bishop at his consecration?

- Latin and Greek dictionaries render the adjective *governing* as, respectively, “Originally existing, basic, primary - - first in importance or esteem, chief - - befitting leading men or princes,”¹⁷ and “of a leader, leading, governing” or “guiding.”¹⁸
- There is a related noun, *hegemonia*, which in general means “authority, command,” and in a secondary sense means “rule, office of a superior: episcopal - - of a superior of a convent - - hence of sphere of bishop’s

¹⁷ P. Glare, *Oxford Latin Dictionary* (Oxford: Clarendon 1994). Similarly: A. Forcellini, *Lexicon Totius Latinitatis* (Padua: 1940); A. Souter, *Glossary of Later Latin to 600 AD* (Oxford: Clarendon 1949); C. Lewis & C. Short, *A New Latin Dictionary* (New York: 1907).

¹⁸ G. Lampe, *A Patristic Greek Lexicon* (Oxford: Clarendon 2000). F. Gingrich & F. Danker, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature* (Chicago: University Press 1957).

rule, diocese.”¹⁹ But even in this sense, it does not connote the power of Order (*potestas Ordinis*, i.e. “sacramental” power) a bishop possesses, but merely jurisdiction (*potestas jurisdictionis*, i.e. “ruling” power), especially since one definition mentions a monastic superior.

- I undertook a brief survey of other sources, and uncovered a dozen possible meanings for *governing Spirit*: originally existing spirit, leading/guiding spirit, a perfect spirit like King David, generous or noble spirit, God the Father, God the Holy Ghost, an external divine effect, supernatural spirit of rectitude/self-control, good disposition, qualities possessed by a Coptic abbot (gentleness, love, patience, graciousness), virtues proper to a Coptic Metropolitan (divine knowledge received through the Church).
- The term *governing Spirit*, then, is not *univocal*, a term that signifies only *one* thing, as Pius XII required. Rather, it is *ambiguous* – capable of signifying *many different things, qualities and persons*.
- Among these meanings, moreover, we do not find the power of Order (*potestas Ordinis*). The expression *governing Spirit* does not even *ambiguously* connote the Sacrament of Holy Orders in *any* sense, still less in the sense of the fullness of the priesthood that constitutes the episcopal Order.

(c) **Which Is it?** So, although the sacramental form for conferring Holy Orders is supposed to signify *two* sacramental effects, *governing Spirit* signifies only *one* – from the context in the new rite, probably the Holy Ghost.

But *governing Spirit* does not even *ambiguously* signify the *other* effect, the power of Order.

If one were to argue that *governing Spirit* did signify this, however, then the *other* required element, the Holy Ghost, would be absent from the form.

¹⁹ Lampe, 599.

In either case, the consequences are the same: the form does not signify one of the things it is supposed to signify.

(d) **Conclusions.** The foregoing analysis of *governing Spirit* led me to the following conclusions:

- Because one of the required elements is not present, the Paul VI form constituted a *substantial* change in the essential sacramental form for conferring the Order of the episcopacy.
- According to the general principles enunciated (I.A), a substantial change in an essential sacramental form renders a sacrament invalid.
- An episcopal consecration conferred with the essential sacramental form promulgated by Paul VI is invalid.

Thus my main arguments and conclusions. We now turn to the objections.

II. Br. Ansgar Santogrossi OSB

Brother Ansgar provides readers with a short summary of my arguments and says he will bring together “in a somewhat shotgun fashion a number of aspects of the issue which are neglected by Fr. Cekada.” After this, “Fr. Cekada’s fundamental error – and the *validity* of Paul VI’s episcopal ordination formula – will become evident.”²⁰

Br. Ansgar’s argument consists of two parts:

First, he attempts to neutralize the general principle (see I.A.3 above) that the essential form for conferring a Sacred Order must *univocally* express the power of the Order conferred.

Second, having reduced the standard for validity to what he calls “a field of implicit significations,”²¹ Br. Ansgar argues that *governing Spirit* in the new Rite of Episcopal

²⁰ “Refutation,” 11.

²¹ The theory being, presumably: “If we build it, they will come...”

Consecration “implicitly, but *really* and *unequivocally* signifies the episcopal power of order.”²²

A. Pius XII’s “Ambiguous” Formulas

Br. Ansgar sets out to demonstrate that the essential sacramental forms prescribed in *Sacramentum Ordinis* by Pius XII – yes, Pius XII – were ambiguous and thus invalid by the standard I applied to the Paul VI form.

1. **Trent.** For openers, Br. Ansgar attempts to enlist the Council of Trent in support of episcopacy as *governing Spirit* – *Spiritus principalis* in Latin:

“The first thing the Council of Trent teaches about bishops (Decree on the Sacrament of Order, chapter 4),” says Br. Ansgar, “is that they are *principally* members of the hierarchy, established by the Holy Spirit to *rule* the Church.”²³

From this, one would naturally expect to turn to the Decree and find the Latin word *principalis*, as in *Spiritus principalis*.

But no, Br. Ansgar has used an English translation; where his translation says “principally,” the Latin original uses the term *praecipue* – similar in some of its meanings²⁴ to *principalis*, but *not* the term we are arguing about.

Nor is “the first thing” that the Decree teaches about bishops that they are “established by the Holy Spirit to *rule*.” The Decree begins by teaching in Chapter I that they are successors to the Apostles in the *priesthood* with the power to confer *sacraments*.²⁵

2. **Diaconate.** The word “ministry,” Br. Ansgar argues, is used in the Pius XII forms for both diaconate and episcopacy.

²² “Refutation,” 12.

²³ “Refutation,” 11.

²⁴ e.g., in a manner special to the particular case, peculiarly, more than any other instance, to a greater degree than others.

²⁵ *De Sacramento Ordinis* 1, DZ 957: “atque apostolis eorumque successoribus in sacerdotio potestatem traditam consecrandi, offerendi et ministrandi corpus et sanguinem ejus, necnon et peccata dimittendi et retinendi.”

How, Br. Ansgar asks, does Fr. Cekada know that the formula for episcopal consecration “makes a bishop and not an archdeacon”?

Well, Fr. Cekada knows it because Rev. Francis Hürth SJ, one of the theologians who wrote *Sacramentum Ordinis* for Pius XII, explained *exactly* what the word “ministry” meant in the form for diaconal ordination:

No one can doubt that the word “ministry” in this sentence is used in the full and technical sense corresponding to the Greek term *diaconia* (“diaconii”), from which this whole Order derives its name “diaconate.”²⁶

3. Priesthood. Turning to the traditional formula for priestly ordination, Br. Ansgar argues: “The Greek word ‘presbyter’, found in its derivative *presbyteratus* in the essential form of ordination, signifies ‘elder’ and not ‘one who sacrifices’ (*sacerdos*).” This, too, according to Fr. Cekada’s standards, would be ambiguous.²⁷

There are two problems with this:

(a) The Greek word origins are irrelevant. The sacramental form is in ecclesiastical Latin, where the term *presbyter* refers exclusively to one who possesses the sacerdotal order below that of a bishop.

(b) And in any case, Br. Ansgar has overlooked *another* expression in the Pius XII form – one that Fr. Hürth says univocally (unambiguously) expresses the order received:

By these words the power of the Order of the priesthood is univocally [*univoce*] expressed, together with the corresponding grace of the Holy Ghost. For what is being conferred by name is the sacerdotal dignity, the “office of the *second* rank” (as opposed to the office of the *first* rank, which is the episcopacy).²⁸

4. Episcopacy. And finally, applying the same method to

²⁶ F. Hürth, “Commentarius ad Cons. Apostolicam *Sacramentum Ordinis*,” *Periodica* 37 (1948), 26.

²⁷ “Refutation,” 11.

²⁸ “Commentarius,” 20. His emphasis.

the form that Pius XII prescribed for episcopal consecration, Br. Ansgar claims: "But still, 'fullness of your ministry' does not in itself indicate that this ministerial fullness is *specifically* different from the *non-priestly* ministry the ordained had once received when he was ordained a deacon."²⁹

And Fr. Hürth provides an explanation of these terms from the theologians who proposed as the essential form the passage that Pius XII finally adopted:

The words which fully suffice for the power and the grace to be signified are found in the consecratory Preface, whose essential words are those in which the "fullness or totality" of the sacerdotal ministry and the "raiment of all glory" are expressed.³⁰

So, unless you follow the tenets of the weird modern theory in which an author has no "privileged" insights into what his own writings mean, Fr. Hürth's explanations of how and why the terms in the Pius XII forms *are* univocal will suffice to defeat Br. Ansgar's "field of implicit significations" theory, which holds in effect that they are *not*.

B. "Implicit, Unequivocal Significations"

In the second section of his article, Br. Ansgar attempts to demonstrate that *governing Spirit* in the new Rite of Episcopal Consecration "implicitly, but *really* and *unequivocally* signifies the episcopal power of order."³¹

Here are some of the proofs that Br. Ansgar offers for the foregoing:³²

- Whoever received "a spiritual and Holy Spirit-derived character of the first order, or the character which is *principalis*, becomes the principal source of the Spirit in the Church. In other words, he is *episkopos*."

²⁹ Refutation, 12.

³⁰ "Commentarius, 30: "summa seu totalitas' ministerii sacerdotalis."

³¹ "Refutation," 12.

³² They are all found in "Refutation," 12.

- The term *governing Spirit* is sufficient because it is “proper to the episcopate.”
- There should be “no grounds for doubt about validity when a prelate manifestly intends ‘to ordain a bishop’ – he is using a book which says ‘ordination of a bishop’ about the rite – utilizes the expressions - - *Spiritum principalem*.”
- *Spiritus principalis* is sufficient because “the episcopal power of sanctification does not need to be signified separately” because it is “principal.”
- “The bishop is the primary analogate of the signification in the usage of ‘*Spiritum principalem*,’” since all other duties in the Church “are under the oversight of the bishop.”

In response:

(1) If you carefully re-read the foregoing, you will notice that Br. Ansgar has done nothing more than restate the same circular argument in several different ways: *governing Spirit* / *Spiritus principalis* sufficiently signifies the episcopacy because it sufficiently signifies the episcopacy.

(2) Specifically, Br. Ansgar cites no authority for the notion that a sacramental form that signifies “implicitly” is sufficient to confer a sacrament validly.

Indeed, traditional sacramental theology teaches the opposite. If someone who administers baptism says “I baptize you in the name of God,” his words *imply* the Father, the Son and the Holy Ghost, but the form is considered invalid.

(3) Br. Ansgar’s arguments are a classic example of post-Vatican II modernist “theologizing.” He does not define terms or clearly state his principles, and his language is fuzzy and elusive.

His claim that *governing Spirit* unequivocally and implicitly signifies the power of Order conferred upon a bishop is easily disproved, however, merely by defining his terms for him.

(a) “Univocal” means “that which has but one meaning.”³³

³³ Lewis & Short, *univocus*.

In my original article, I demonstrated that the expression *governing Spirit* did not have just *one* meaning, but at least a *dozen*. It cannot therefore be called “unequivocal.”

(b) “Implicit” means “all that which is contained in something else,”³⁴ so, if Br. Ansgar’s claim were true, one would find something like “the power of Order of the episcopacy” among the meanings for *governing Spirit*. But as I also demonstrated in “Absolutely Null,” this was *not* contained among these meanings, so neither can it be called “implicit.”

(4) Dogmatic theology, moral theology and canon law consider the power of *Order* (to confer sacraments) and the power of *jurisdiction* (to rule) to be separate and distinct. One is not automatically accompanied by, nor does it imply, the other.

Br. Ansgar’s arguments obliterate this distinction by implying that the sacramental power a bishop receives is somehow contained in “ruling” power.

It should therefore be evident that Br. Ansgar has been unable to offer a defense of *governing Spirit* that is based on any discernible principles of traditional Catholic theology.

III. Fr. Pierre-Marie OP

Fr. Pierre-Marie’s objections to “Absolutely Null” cover two short pages. With one exception, these do not address the substance of my argument against the validity of the new rite. I will begin by replying to his less important objections.

A. Peripheral Objections

1. Textual Dispute. Fr. Pierre-Marie claims I misrepresented Dom Emmanuel Lanne’s critique of a text that Fr. Pierre-Marie had relied upon.³⁵

³⁴ A. Michel, “Explicite et Implicite,” DTC 5:1868. “Est explicite tout ce qui est admis ou proposé expressément; est implicite tout ce qui est contenu dans autre chose.”

³⁵ The text being the Latin translation in RO for the Coptic Rite of Episcopal Consecration.

Rather than argue over this (the quote appeared in an appendix) I simply point out that in the same sentence I cited *another* scholar who also warned that the text in question “should be treated with caution.”³⁶

2. The Power to Ordain. Fr. Pierre-Marie leaves the impression that I contend that the form for episcopal consecration must explicitly mention the power to ordain priests for it to be valid.

False. I do not, and I said that nowhere in my article.

3. Found Churches = Ordain? Fr. Pierre-Marie claims that the phrase in the Paul VI form that mentions the “power given to the Apostles to establish churches - - necessarily implies that of ordaining priests.”³⁷

False, for at least two reasons:

(a) The Apostles founded churches only because they enjoyed an extraordinary *jurisdiction* to do so.³⁸ The theologian Dorsch says specifically that this power is *not* communicated to bishops: “not all those functions proper to the apostles are also proper to bishops – for example, to establish new churches.”³⁹

(b) To establish “churches” (dioceses, in modern terminology) is an exercise of the power of *jurisdiction*, not one of *orders*, such as ordaining priests. This jurisdictional power is proper to the Roman Pontiff alone.⁴⁰

4. Number of Words. Fr. Pierre-Marie also implies that I regarded the number of words in a sacramental form as some

³⁶ Paul Bradshaw, *Ordination Rites of the Ancient Churches of East and West* (New York: Pueblo 1990), 8.

³⁷ *Sont-ils évêques?* 75. “En effet il est affirmée que le pouvoir reçu est celui du souverain sacerdoce, qu’il est le pouvoir donné aux Apôtres pour fonder les églises (ce qui implique nécessairement celui d’ordonner des prêtres), etc.

³⁸ See J. Abbo & J. Hannon, *The Sacred Canons* 2nd ed. rev., (St. Louis: Herder 1960) 1:354-5.

³⁹ A. Dorsch. *De Ecclesia Christi* (Innsbrück: Rauch 1928), 290. “Non omnes ii actus conveniunt episcopis, qui apostolis, e.g., fundare novas ecclesias etc.”

⁴⁰ See Canon 215.1. “Unius supremæ ecclesiasticæ potestatis est - - dioceses - - erigere.”

sort of indicator of validity.

False. I compared the word counts for the Eastern Rite forms with the Paul VI form because Fr. Pierre-Marie had claimed the latter is “in use in two certainly valid Eastern Rites.” How could his claim be true if not even the *number* of words is the same?

5. Unfair to Dom Botte? Fr. Pierre-Marie maintains that I did not fairly represent a statement by Dom Bernard Botte (author of the new Consecratory Prayer for Episcopal Consecration) that one could omit *governing Spirit* without affecting the validity of the new rite.

False. The issue under discussion at that point in my article was what *governing Spirit* meant in the essential sacramental form. That Dom Botte dismissed its significance in 1969 (*before* there was a dispute over it) proves that his later defense and “explanation” of it in 1974⁴¹ (*after* there was a dispute over it) was a cynical pack of lies.

6. Indefectibility of the Church. Fr. Pierre-Marie maintains that I ignore this question.

False. I deal with it in section 10.b of the article.⁴²

7. Ottaviani’s Approval. Fr. Pierre-Marie says I have “avoided” the question of Alfredo Cardinal Ottaviani supposedly approving the Paul VI form.

Well, it never occurred to me, because by 1968 Cardinal Ottaviani had let a *lot* of things slide by.

But since Fr. Pierre-Marie thinks this is important: Ottaviani was blind at the time, his secretary was suspected of

⁴¹ B. Botte, “Spiritus Principalis’ Formule de l’Ordination Épiscopale,” *Notitiæ* 10 (1974), 410-1.

⁴² If according to the standards laid down by Pius XII, the new rite is invalid, the conclusion to be drawn is not that *the Church* has defected but rather that *Paul VI* somehow defected from the faith and lost his authority. While faith tells us it is impossible for the Church to defect, dogmatic theology, canon law and at least two papal pronouncements (Innocent III and Paul IV) tell us it is indeed possible for a pope to defect from the faith and lose his authority. For the quotations, see A. Cekada, *Traditionalists, Infallibility and the Pope* (vol. I, pp. 370-376).

having misrepresented the contents of at least *one* document that the cardinal signed,⁴³ and in any case, Ottaviani later went on Italian television to praise the liturgical reforms, which approval (I presume) Fr. Pierre-Marie would repudiate.

B. The Consecration of the Maronite Patriarch

Fr. Pierre-Marie attempts to refute only one substantive point in my argument. In his original article, he had adduced the prayer for the Consecration of the Maronite Patriarch as evidence for the validity of the new rite. I had pointed out that this was merely an *investiture* prayer, not a *sacramental* prayer for consecrating a bishop.

Responding to this, Fr. Pierre-Marie refers readers to an earlier “Note” with the following comment: “Father Cekada asserts without proof the non-sacramentality of the Prayer of Ordination of the Maronite Patriarch. In our previous ‘Note,’ we have explained our position on this point.”⁴⁴

The attentive reader will pause to note the hidden assumption here: Though Fr. Pierre-Marie has put forward the prayer of the Consecration of the Maronite Patriarch as Exhibit A for the validity of the new rite, *he* is not obliged to prove it is indeed a sacramental prayer for conferring episcopal consecration. Rather, Fr. Cekada and others are obliged to prove it is *not* a sacramental prayer.

In any event, we turn to the prior Note, where Fr. Pierre-Marie argues his position as follows:⁴⁵

- Choosing a Patriarch from among clerics who were *already* bishops is “relatively recent,” because “it was held that one should avoid moving a bishop from a see, even to create a patriarch.” Before that, a cleric of the patriarchal city who was not a bishop was chosen.

⁴³ His secretary, Mgr. Gilberto Agustoni, was a liturgical modernist and a collaborator of Bugnini. For an account, see A. Cekada, “Background to the Intervention,” *The Ottaviani Intervention*, (Rockford IL: TAN 1992), 8-10.

⁴⁴ *Sont-ils évêques?* 75.

⁴⁵ *Sont-ils évêques?* 70-1.

- A special ceremony was created “to consecrate the Patriarch - - as the bishop of his patriarchal city and to institute him into his office.” Later, when only clergy who were already bishops were chosen to be patriarchs, “the ceremony was lost, or it at least lost its consecratory power.”
- The prayer for the Consecration of a Maronite Patriarch is “practically the same” as the one for consecrating a bishop. The principal difference lies in the consecratory prayer. In the case of the Patriarch, the ordinary prayer for episcopal consecration is replaced with “the prayer of Clement.”
- This prayer “today no longer has consecratory power when recited over a candidate who is already a bishop.” But the prayer “formerly possessed [this power], when it was recited over a candidate who was not a bishop.”

At first this argument may sound plausible. But it collapses instantly when you examine the details.

1. Vague Speculations. Each factual link in the foregoing argument is no more than a wooly generalization. Fr. Pierre-Marie does not (and indeed, probably *could* not) furnish us with *specific* information about his factual claims – the timeline, the identity of the clerics involved, which texts “lost their consecratory power,” who determined that this occurred, where one finds evidence that a “ceremony was lost,” etc.

2. No Citations. Fr. Pierre-Marie cites no sources whatsoever – theologians, historians, liturgists, etc. – to support these broad and sweeping claims. We may therefore assume that he makes them on no authority but his own, and therefore dismiss them as gratuitous.

3. Problems with Manuscripts. It is highly unlikely in any case that Fr. Pierre-Marie could ever identify with certitude the exact text that he maintains “lost its consecratory

power.” An expert on the history of the Maronite Pontifical pointed out:

Unfortunately, we lack documents that could provide information about the Maronite Pontifical in more ancient times. Only in the 13th century do we begin to find some that are reliable and authentic.⁴⁶

Subsequent sources are dated 1296, 1311, 1495, and 1683 (a reconstruction), and their history and interrelationship is extremely complex.

4. Contrary Testimony. The testimony of Irmia Al-Amchiti, the 13th-century Maronite Patriarch associated with the first known edition of the Maronite Pontifical (1215), moreover, seems to demolish Fr. Pierre-Marie’s claim that the practice of choosing a Patriarch from among clerics who were *already* bishops is “relatively recent.”

The Patriarch wrote in his own hand that he had been consecrated a bishop and served as a metropolitan for four years *before* he became Patriarch in 1209.⁴⁷ Or are we to understand that 1209 is still “relatively recent”?

5. Syrian Rite. The Syrian Rite, which is related to the Maronite Rite and stems from the same source, also employs the Prayer of Clement that Fr. Pierre-Marie mentions. But once again, the prayer is not used to consecrate bishops but exclusively for the installation of the Patriarch.

The original language (Syriac) even uses two separate terms to distinguish the *sacramental* rite for the consecration of a bishop from the *non-sacramental* rite for the consecration of a patriarch. The first rite is called an “imposition of hands,” while the second is referred to with a term meaning

⁴⁶ Michael Rajji, quoted in Joseph Merhej, *Jalons pour l'Histoire du Pontificale Maronite*, doctoral thesis, (Paris: Institut Catholique 1975). 13.

⁴⁷ Quoted in Merhej. “Mar Boutros, patriarche de Maronites - - m'ordonné de ses mains sacrées et m'a érigé Métropolitaine. - - Les quatre années passées - - ils ont fait un tirage au sort où j'ai été choisi.”

“to confide or invest someone with a duty.”⁴⁸

A Syrian liturgist explains: “In the first case [episcopal consecration], the ordinand receives a charism different from the one he already possesses - - In the second, the Patriarch does not receive a charism different from the one he received at the time he was made a bishop.”⁴⁹

6. A Self-Extinguishing Argument. In the last point of his argument, Fr. Pierre-Marie implies that the same Maronite text can serve *two* purposes today – either as a *non-sacramental* prayer in the Maronite Rite to install a bishop as a Patriarch, or as a *sacramental* prayer in the Latin Rite to consecrate a priest as a bishop.

It did not perhaps occur to Fr. Pierre-Marie that such a prayer can *not* be considered *univocal* (unambiguous); as a sacramental form for conferring Holy Orders, it must therefore be considered invalid. (See above: I.A.3, 4)

In sum, Fr. Pierre-Marie has presented *no* evidence to demonstrate that the Maronite prayer for the consecration of a patriarch was sacramental. He cannot therefore appeal to it as proof for the validity of the new rite of episcopal consecration.

IV. Fr. Alvaro Calderon SSPX

In his original article, Fr. Pierre-Marie had adduced another Eastern Rite text, the Coptic Rite Preface for Episcopal Consecration, as proof for the validity of the post-Vatican II rite. In “Absolutely Null,” I pointed out that the sentence that

⁴⁸ G. Khouris-Sarkis, “Le Sacre des Éveques dans l’Église Syrienne: Introduction,” *L’Orient Syrien* 8 (1963), 140-1, 156-7. “Mais le pontificale - - fait une distinction entre la consécration conférée aux évêques et celle qui est conférée au patriarche - - et c’est pour cela que le pontificale appelle cette consecration ‘syom’ido d-Episqûfé,’ imposition des mains aux évêques.” The word used in the title of the ceremony for the patriarch, “Mettas’rhoneûto,” est l’action de confier une charge à quelqu’un, de l’en investir.”

⁴⁹ Khouris-Sarkis, 140-1. “Dans la première, l’élu reçoit un charisme différent de celui qu’il possédait déjà - - Dans le second, le patriarche ne reçoit un charisme différent de celui qu’il a reçu au moment où il a été créé évêque.”

Paul VI had designated as the essential sacramental form was not identical to the actual Coptic form. Fr. Calderon's objections to my article address this issue in particular.

A. Coptic Form vs. Paul VI Form

1. A Fallacious Comparison? Fr. Calderon maintains that my comparison between the entire Coptic Preface and what he calls the "formal-effective" sentence in the Paul VI rite is fallacious and unfair.

For a comparison to be fair, he says, it would be necessary either to (a) identify the "formal-effective" sentence in the Coptic Preface and compare it with the "formal-effective" sentence designated by Paul VI, or (b) compare the whole Coptic Preface with the *whole* Paul VI Consecratory Prayer that surrounds the "formal-effective" sentence.⁵⁰

In response:

As regards the Coptic Rite: The Coptic Synod of 1898 identified the form for episcopal consecration: "The form is the actual prayer which the ordaining bishop recites while imposing hands on the ordinand,"⁵¹ and Pope Leo XIII approved the acts of the Synod.⁵²

One need hardly look beyond what Leo XIII approved for a "formal-effective" sentence.

As regards the new rite: Paul VI himself identified the "formal-effective" words which "pertain to the essence of the rite."⁵³

Because such words must necessarily contain *everything* required – by definition they are both necessary and sufficient – here, too, there is no need to look at the *whole* Paul VI

⁵⁰ "Validité," 213-4; "Validity... Replies," 42-3.

⁵¹ Quoted F. Cappello, *De Sacramentis* (Rome: Marietti 1951) 4:732. "In collatione trium ordinum majorum - forma est ipsa oratio quam ordinans recitat, dum manus ordinando imponit."

⁵² Epistola *Synodales Vestrae Litterae*, 25 April 1899, *Leonis XIII P.M. Acta* 18 (1899), 43-4.

⁵³ *Pontificalis Romani Recognitio*, 372, 373: "quænam in ritu ad naturam rei pertinere dicenda sunt," "ad naturam rei pertinent, atque adeo ut actus valeat exiguntur."

Consecratory Prayer before making a comparison.⁵⁴

2. An Omitted Statistic? Fr. Calderon says I do not point out that the majority of the 340 words in the Coptic preface occur in the rest of the new Consecratory Prayer.⁵⁵

Fr. Calderon is simply mistaken. I stated explicitly that, “the Paul VI Preface surrounding the new form contains many phrases found in the Coptic form.”⁵⁶

3. An Admission and Error. Fr. Calderon makes the following claim: “The likely ‘formal-effective phrase of the Coptic rite (which corresponds to the phrase considered to be such in the new rite) is shorter than that of the new rite; and consequently, is equally, if not more, ambiguous.”⁵⁷

Later in the article, Fr. Calderon asserts that the “formal words of the prefaces are, in general, rather ambiguous and general, even in the traditional Roman rite,” and that the “Romans” were “aware of the ambiguity of the formulas.”⁵⁸

Two things are startling about these statements:

- Fr. Calderon explicitly states that the new essential sacramental form is “ambiguous.” This concedes that the new form is not *univocal* – *unambiguous* – as Pius XII required.
- But by so doing, Fr. Calderon thus has posited the theological equivalent of a square circle. No sacramental form, by definition, can be “ambiguous,” because then it would not *signify*.

⁵⁴ The rubrics of the new rite, moreover, prescribe that bishops who “co-consecrate” – and thus in theory likewise confer the sacrament – merely recite the *essential* formula, rather the *whole* Consecratory Prayer. See Paul VI, *De Ordinatione Episcopi, Presbyterorum et Diaconorum*, ed. typ. alt. (Rome: Polyglot 1990), nos. 16, 25.

⁵⁵ “Validité,” 214; “Validity... Replies,” 43.

⁵⁶ “Absolutely Null,” 4. (p. 290)

⁵⁷ “Validité,” 214; “Validity... Replies,” 43.

⁵⁸ “Validité,” 215; “Validity... Replies,” 44.

B. Context of the New Form

Fr. Calderon would have us look to the *context* of the new form for assurance of its validity. He says:

“This context is very ample because it cannot be reduced to the Preface alone; the complete rite must be taken into consideration.”

From a quote by Leo XIII that speaks of the removal of *all* idea of consecration and sacrifice from Anglican ordination rites, Fr. Calderon extrapolates the following principle: if in the rest of the rite “consecration and sacrifice were involved,” the rite would have “consistency.”⁵⁹

In response:

Fr. Calderon cites *no* authorities to support his principle about “involvement” producing “consistency” – whatever those nebulous terms may mean.

Fr. Calderon, however, has not even gotten to the point where he could *make* an argument from context. He has not demonstrated that the new form – even *equivocally* – contains both elements that Pius XII required in the sacramental form for Holy Orders: the power of the Order and the grace of the Holy Ghost.

The inability of Fr. Pierre-Marie and Fr. Calderon to establish that the new form “is in use in two certainly valid Eastern rites” leads us straight back to the term *governing Spirit* (*Spiritus principalis*). What does it really mean?

Br. Ansgar was unable to frame an answer that was based on any recognizable principle of traditional Catholic theology. Fr. Pierre-Marie and Fr. Calderon did not even attempt to do so.

But the answer to the question, as I demonstrated in “Absolutely Null,” is that *governing Spirit* really *has* no exact meaning. It can mean one of at least a *dozen* different things.

Among these is the Holy Ghost, and this is probably what it means in the context of the new form. Indeed, before the

⁵⁹ “Validité,” 215: “si dans le reste du rite il était question de consécration et sacrifice...”; “Validity... Replies,” 44.

controversy over it arose, the principal author of the new rite, Dom Botte, simply referred to the passage containing *governing Spirit* as “the invocation of the Holy Ghost.”⁶⁰

But among the many meanings for the expression, we do not find the power of Order (*potestas Ordinis*). The *governing Spirit* does not even *ambiguously* connote the Sacrament of Holy Orders in *any* sense, still less in the sense of the fullness of the priesthood that constitutes the episcopal Order.

Without this, the essential sacramental form in the rite of Paul VI is invalid on the face of it because one of the two necessary elements prescribed by Pius XII is missing. “Context,” no matter how “ample,” cannot “specify” a term that is not present at all.

To sum up the problem once again: The debate over the validity of the new rite of episcopal consecration centers on its **essential sacramental form** – the words in a sacramental rite necessary and sufficient to produce the effect of the sacrament.

In the new rite of episcopal consecration, this form does not univocally express the *power of Order*. According to the general principles of sacramental moral theology, it thus lacks one of the essential elements required in a form for Holy Orders, and is therefore invalid – cannot confer the episcopacy.

Accordingly, bishops consecrated with this new rite lack the sacramental powers of true bishops, priests ordained by such bishops lack the sacramental powers of true priests, the sacraments they confer which depend upon the sacerdotal character are invalid, and the faithful who assist at their Masses adore and receive only bread.

Only... bread...

January 9, 2007

⁶⁰ “L’Ordination de l’Évêque,” *La Maison-Dieu* 97 (1969). 122, 123. “l’invocation du Saint-Esprit”; “on a désigné une partie de la formule, celle qui contient l’invocation à l’Esprit Saint, comme partie essentielle.”

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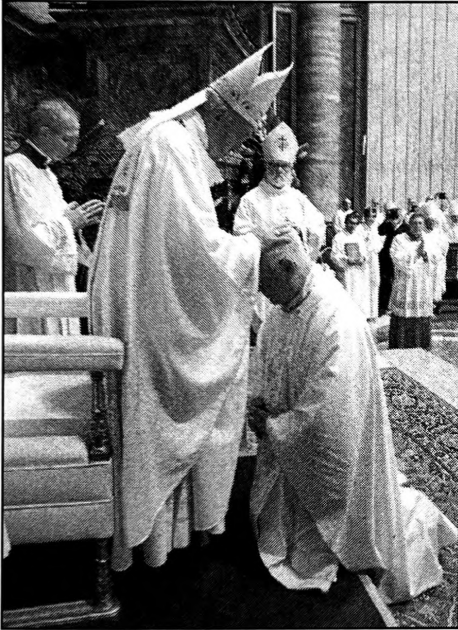
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NEW BISHOPS, EMPTY TABERNACLE

SSPX's French District Publishes an Editorial
Defending the 1968 Rite of Episcopal Consecration

Rev. Anthony Cekada

May 2007



The debate over the validity of the 1968 Rite of Episcopal Consecration continues in Catholic traditionalist circles, particularly in France.

Because most of the clergy operating under the 1984 “Tridentine Mass” Indult and the aegis of various Vatican-approved “traditional” priestly organizations (FSSP, ICK, etc.) were ordained by bishops consecrated with the new rite, the outcome of this debate will eventually affect

the number of traditionalists willing to receive sacraments from these priests, as well as from any priests who will function under the anticipated *Motu Proprio* “liberating” the pre-Vatican II Latin Mass. If these priests were ordained by invalidly consecrated bishops, then the sacraments they confer that depend upon the priestly character (Penance, the Eucharist, and Extreme Unction) are invalid as well.

The issue has also heated up in chapels of the Society of St. Pius X (SSPX). In the U.S., for instance, SSPX installed one such priest as a pastor in Richmond, Virginia. The SSPX District Superior, moreover, allows priests ordained by new rite bishops to offer Sunday Mass at St. Vincent’s in Kansas City after they have “graduated” from an SSPX course on

how to say the traditional Mass. Conditional ordination beforehand in the traditional rite is not a requirement – an injustice not only to the laity, but to the priest as well, who probably is unaware of any problem and acting in good faith.¹ It appears that some laymen have protested or left the Kansas City chapel over this issue.

In France, the Rev. Grégoire Celier SSPX recently published an article defending the validity of the new rite of episcopal consecration, and attacking those traditionalists who had called it into question – notably the Rore Sanctifica committee (a European research group) and myself. Because it appeared both in the Society’s flagship publication² and as an editorial on the web site for the SSPX French District,³ one can be sure that Fr. Celier’s article was approved by the SSPX Superior General, the Most Rev. Bernard Fellay, and that it therefore expresses what is now the official SSPX party line on the new rite.

I presented my own case against the validity of the new rite in two articles, “Absolutely Null and Utterly Void” (March 2006) and “Still Null and Still Void” (January 2007), a reply to objections subsequently made to the first article.

The dispute hinges on the **essential sacramental form** for the episcopacy – the one sentence in the rite that contains what is necessary and sufficient to consecrate a true bishop. Put very simply, my argument was this:

- In his Apostolic Constitution *Sacramentum Ordinis*, Pius XII taught that a form for conferring Holy Orders must univocally (unambiguously) signify the sacramental effects: the **power of the Order**

¹ SSPX officials claim that they conduct an “investigation” about validity in each case. This, I submit, is public-relations hogwash that is unconnected to any objective principles of sacramental theology, and boils down to nothing more than the question of whether the priest himself is willing to submit to conditional ordination. If he’s not willing, nothing will be done. This was the case in the early 1980s with Fr. Philip Stark SJ, an episode that eventually led to the expulsion of “The Nine” in 1983 (see pp. 474-475).

² “De la Validité du Sacre,” *Fideliter* 177 (May-June 2007).

³ *La Porte Latine*, editorial, May 2007.

received (deacon, priest or bishop) and **the grace of the Holy Ghost**.

- In 1968 the post-Vatican II reformers completely changed the essential sacramental form for episcopal consecration. In the process, they removed one of these essential ideas: the power of Holy Orders (*potestas Ordinis*) that a bishop receives.
- According to the general principles of Catholic sacramental theology, if a sacramental form is changed in such a way as to remove an essential idea, the form becomes invalid.
- The new form, I therefore concluded, is invalid. Consequently, those consecrated with this rite are not true bishops.

A key point of dispute in the debate concerned the meaning in the new form of the Latin phrase *Spiritus principalis* – rendered into English as “governing Spirit” and into French as “l’Esprit qui fait les chefs.”

Those who defended the validity of the new rite maintained that this expression unambiguously signified the episcopacy. I demonstrated that it did not – I unearthed at least a *dozen* different meanings for it – and that in the new form itself, the expression means nothing more than the Holy Ghost, merely *one* of the required elements for a valid sacramental form for Holy Orders.

In my articles I had presented all this in a systematic fashion and cited various treatises to support each point of my argument.

In his editorial, however, Fr. Celier did not respond with a systematic theological argument of his own. Rather, he launched a personal attack against the members of Rore Sanctifica and myself⁴ – and then recycled the objections of a modernist Benedictine that I had already answered.

Since Fr. Celier’s editorial will be translated and widely circulated, I will answer these objections once again. I will

⁴ Fr. Cekada left SSPX “in a manner that was morally questionable.”

conclude by pointing out how the use of these arguments by Fr. Celier and others indicates a larger problem within SSPX.

1. Eastern Rite? Fr. Celier states that the essential sacramental form prescribed by Paul VI “is nothing more than a re-use of a formula used for consecrating bishops in the Coptic and Syrian Eastern Rite Catholic Churches - - The new rite contains the substance of the two Coptic and Syrian rites.”

Did Fr. Celier even bother to read my two articles? By comparing the texts mentioned, I have demonstrated *twice* that this is false.

The essential form promulgated by Paul VI:

- a) is *not* a “reuse” of the form for episcopal consecration prescribed by the Coptic synod and approved by Leo XIII, and
- b) appears in the Syrian rite as a *non-sacramental* prayer for the enthronement of a Patriarch, who has *already* been consecrated a bishop.

2. “Ambiguous” Formulas in the Old Rite? Fr. Celier argues by analogy as follows: If we apply to the pre-Vatican II form for priestly ordination the understanding of “univocal” that Fr. Cekada applies to the Paul VI form for episcopal consecration, we would have to conclude that the old form for priestly ordination was invalid, because it uses the term *presbyter*, which is derived from the Greek word for “elder” rather than “priest.”

Again, did Fr. Celier read what I wrote? In my second article, I pointed out that this analogy fails for two reasons:

- a) The Greek etymology of the term *presbyter* in the old form is irrelevant. The old form is written in Christian ecclesiastical Latin, where the term *presbyter* signifies the second rank of the Christian priesthood.

- b) Fr. Hürth, one of the theologians who wrote *Sacramentum Ordinis* for Pius XII, pointed out that the form further specifies this by also explicitly mentioning “the office of the *second* rank,’ (as opposed to the office of the *first* rank, which is the episcopacy).”⁵

3. Meaning Derived from Context? Fr. Celier enunciates the following principle: “In reality, the words of the sacramental formula should be referred to a three-fold field of meaning. For it is erroneous to require that a text express a sense in a comprehensible way outside of any other context.”

Here Fr. Celier takes up the nebulous double-talk of modernist sacramental theology, which dismisses pre-Vatican II teaching on essential sacramental forms as a theology of “magic words.”

Like Fr. Celier, the modernists propose instead a “broader context” that effects a sacrament. In my days in a modernist seminary, many was the time I heard priests and fellow seminarians say that pronouncing the Words of Consecration at Mass was not important because “the whole Eucharistic Prayer was consecratory.”

This is also the same theology that allowed Ratzinger and John Paul II to declare in 2001 that when the Nestorian schismatics use the Anaphora (Canon) of Addai and Marai for their Mass, it is valid, even though it does not contain the Words of Consecration – or even mention the Body and Blood of Christ.⁶

But according to traditional Catholic sacramental theology, “context” cannot supply validity when an essential element is omitted from the sacramental form.

Thus for example, although the “context” of the traditional baptismal rite contains prayers that explicitly mention baptism, cleansing and the life of grace, this context cannot render the sacrament valid if the priest substantially chan-

⁵ *Periodica* 37 [1948], 26.

⁶ See the Most Rev. Donald J. Sanborn, “O Sacrament Unholy.”

ges or omits an essential word (e.g., “baptize,” “I,” “you,” “Father,” etc.) in the essential sacramental formula. The rite is invalid, period.

Nor would the “implicit” signification that Fr. Celier proposes for an essential sacramental form produce a valid baptism. If a priest says “I baptize you in the name of **God**,” the baptism will *still* be invalid, even though the surrounding context “implies” the Father, the Son and the Holy Ghost.

4. Associated with the Episcopal Office? As regards the disputed phrase “governing Spirit,” Fr. Celier maintains: “The dictionaries for Patristic Greek and Latin thus associate *hegemonikon* and *principalis* with the episcopal office.”

This is not even a half-truth. I demonstrated that in Greek and Latin the term has at least a *dozen* different meanings. Among them, we find one that connotes a bishop’s *jurisdictional* power (power to rule) but none that connotes a bishop’s *sacramental* power (*potestas Ordinis*). It is the latter that a valid sacramental form for conferring Holy Orders must unambiguously signify.

5. Establish the Church = Sacramental Power? On this point, Fr. Celier recycles an argument made by Fr. Pierre-Marie: “With reference as much to reality – to the tradition of Christian vocabulary – as to the context of the rite as a whole, this petition for an outpouring of the *Spiritus principalis* upon the ordinand – the Spirit of Jesus Christ which He Himself transmitted to the Apostles to establish the Church in all places – perfectly signifies the meaning of the grace of the episcopacy.⁷

More gobbledygook.

And again, did Fr. Celier read my article? I pointed out in “Still Null and Still Void” that such a claim is false for at least two reasons:

⁷ “En référence, tant à la réalité, à la tradition du vocabulaire chrétien qu’au contexte de l’ensemble du rite, cette demande d’une effusion du *Spiritus principalis* sur l’ordinand, Esprit de Jésus-Christ qu’il a lui-même transmis aux Apôtres pour établir l’Église en tous les lieux, est parfaitement significative de la grâce épiscopale.”

- a) The Apostles founded churches only because they enjoyed an extraordinary *jurisdiction* to do so. The theologian Dorsch says specifically that this power is *not* communicated to bishops: “not all those functions proper to the apostles are also proper to bishops – for example, to establish new churches.”⁸
- b) To establish “churches” (dioceses, in modern terminology) is an exercise of the power of *jurisdiction*, not one of *orders*, such as ordaining priests. This jurisdictional power is proper to the Roman Pontiff alone.⁹

6. An “Interesting Insight”? Fr. Celier uses this phrase to describe Fr. Alvaro Calderon’s argument for the validity of the new form, which he sums up as follows: “Thus it follows that the imposition of hands is a sufficient matter for Holy Orders because they are the hands of a bishop, and that a formula even a bit vague suffices because it is a *mouth* of a bishop, a will of a bishop who expresses his determination to transmit the power that he possesses in its fullness, to beget from his own full priesthood a priest or a bishop.”¹⁰

A layman who reads such a passage may think it contains something truly “profound” or some inspired but ineffable flash of theological insight.

In fact, it’s just more mumbo-jumbo. Fr. Calderon, if you judge from his article in the November 2006 *Angelus*, seems incapable of fashioning a clear argument or, for that matter, even writing a clear sentence. The essence of good theological writing is *clarity*. Fr. Calderon writes like a modernist.

But the problem is not just style. Fr. Calderon’s “insight,” quoted above and taken up by Fr. Celier, entirely overthrows what Catholic theology teaches about the essential sacra-

⁸ *De Ecclesia Christi* (Innsbrück: Rauch 1928), 290.

⁹ See Canon 215.1.

¹⁰ “De là vient que l’imposition des mains est une matière suffisante pour l’ordre, parce que ce sont des mains d’évêque; qu’une formule même un peu vague suffit, parce que c’est une bouche d’évêque, une volonté d’évêque qui exprime sa détermination de transmettre le pouvoir qu’il possède en plénitude, d’engendrer de son propre sacerdoce plénier un prêtre ou un évêque.”

mental forms – a form must univocally signify the sacramental effect – and substitutes a modernist, near-Gnostic “sacramental contextualism.”

His statement, once again, could have come straight from one of my modernist professors in the late 1960s – or, for that matter, even from some bizarre Theosophist tract, just before it describes how a Catholic bishop’s words produce “purple bubbles” on the “astral plane.”

Taken to its logical conclusion, moreover, this principle overthrows Pope Leo XIII’s condemnation of Anglican orders in the Bull *Apostolicæ Curæ*. Are the Anglican formulas that were “a bit vague” now to be considered retroactively revalidated due to Bishop Barlow’s “mouth” in 1559?

Do Fr. Celier and Fr. Calderon *really* believe that as regards a sacrament, “that a formula even a bit vague suffices because it is a *mouth* of a bishop”? Or are they channeling Tyrrell, Teilhard de Chardin and Madame Blavatsky?

* * * * *

This last point brings us to a larger problem that exists in the Society of St. Pius X. For SSPX priests involved in controversies like this, it seems that research in the library and St. Paul’s dictum “I handed down to you first what I also received” (1 Cor. 15:3) never suffice. One must always play the great “intellectual” who dreams up an “original” theological idea.¹¹

So, Fr. Celier does not – as you would expect – draw his arguments for the validity of the new rite from pre-Vatican II manuals of sacramental theology. Rather, he bases them on the novel theories of Br. Ansgar Santogrossi, who (though “conservative”) adheres to the *Novus Ordo* and the errors of Vatican II, and is a fully paid-up member of the new religion.

Fr. Calderon, similarly, does not rely on the clear princip-

¹¹ The quote from St. Paul, ironically, is inscribed on Archbishop Lefebvre’s tombstone at the Ecône seminary: “Tradidi enim vobis in primis quod et accepi.” Apparently the sentiment never filtered through to the theology classrooms nearby...

les enunciated by the older authors. Rather, he feels compelled to invent an “insight” which he attributes to St. Thomas, but which in fact overthrows the standard Catholic doctrine on sacramental form.

For priests who hold themselves and their organization out as defenders of tradition, this is deeply, deeply weird. Why not just argue from principles of traditional Catholic theology?

Apart from the desire for “originality,” the answer, I think, is that the general praxis and “positions” that the Society has developed since its foundation *cannot* be reconciled with standard, pre-Vatican II theology.

Thus the superiors of the Society and the would-be “intellectuals” in its ranks were obliged to invent an array of tenuous theories that would allow the organization to refuse submission to the Roman pontiff (the pope is like a bad dad!), spurn his universal laws as evil (the New Mass is poison, but invalidly promulgated!), “sift” teachings of the universal ordinary magisterium (we can judge and reject what conflicts with “tradition!”), pronounce excommunications invalid (Fr. Murray’s canon law thesis trumps a papal declaration!), advocate resistance to the Successor of St. Peter (justified by “Bellarmine,” and “Vitoria!”), operate an apostolate parallel to Ordinaries appointed by the Pope (state of necessity!), and consecrate bishops in 1988 against the Pope’s express will (Operation Survival, and – my personal favorite – “The tents are rented.”).

If you can invent new theological principles for all these, why not for sacramental theology too? Thus “three-fold fields of signification,” “implicit but unequivocal” forms, new “insights” for the *Summa* and vague formulas transfigured by episcopal lips can be adduced to defend a sacramental form that, according to all the principles of the old theology, does not univocally signify the *potestas Ordinis*, and is therefore invalid.

I am sure that there are priests in the Society – and indeed, laity in the Society’s chapels – who reject or are highly skeptical of the “original” arguments that Fr. Celier and Fr.

Calderon have made for the validity of the 1968 Rite of Episcopal Consecration.

They should not think this is a “sedevacantist” affair. Those who still consider Paul VI and his successors to be true popes should remember that even a *true* pope lacks the power to change the substance of a sacrament.

In 1975, moreover, Mgr. Lefebvre personally told me that the new rite was invalid. My research and articles more than three decades later confirm that conclusion, and I cite documentation which readers can verify for themselves.

If the new bishops are indeed not true bishops, then the most pressing problem that such traditionalists face – despite the urgings of Fr. Celier and other purveyors of “original” theology – is not the vacant see. It is the empty tabernacle.

THE MOTU MASS TRAP

Ratzinger “Liberates” the ’62 Missal. Welcome to His Rainbow...

Rev. Anthony Cekada

July 7, 2007

A “mark of identity... a form of encounter... particularly suited to them...” A “sacrality which attracts many people.”

- Benedict XVI, on his reasons for instituting the Motu Mass

“Legitimate diversity and different sensibilities, worthy of respect... Stimulated by the Spirit who makes all charismata come together in unity.”

- John Paul II, on the traditional Mass, to the Fraternity of St. Peter

“Everything in their system is explained by inner impulses or needs.”

- Pope St. Pius X, on modernists and the sacraments, *Pascendi*

On July 7, 2007 Benedict XVI issued *Summorum Pontificum*, his long-anticipated Motu Proprio allowing a more widespread use of the 1962 version of the traditional Latin Mass. His action came as no surprise. As a Cardinal, Joseph Ratzinger had already spoken favorably about the old Mass many times.

Here are some salient provisions of the Motu Proprio and his accompanying letter:

- The New Mass of Paul VI is the “ordinary” expression of the “law of prayer” (*lex orandi*), while the John XXIII version of the old Mass is the “extraordinary” expression. They are “two uses of the one Roman Rite.” (Motu Proprio, ¶1)
- Any priest can celebrate the Mass of “Blessed John XXIII” privately. (¶2)

- In parishes where there is a stable group of faithful “attached to the previous liturgical tradition,” the pastor should accede to their requests for a celebration of the ’62 Mass. (§5.1)
- Such celebrations can take place on weekdays, “while on Sundays and feastdays there may be one such celebration.” (§5.2)
- Scripture readings can be proclaimed in the vernacular. (§6)
- The older rite may also be used, when requested, for weddings and funerals (§5.3), and the pastor may allow using the older rites for administering other sacraments as well. (§9.1)
- The diocesan bishop may set up a “personal parish” for such celebrations. (§10)
- The New Mass and the old are not “two Rites,” but a two-fold use of “one and the same rite.” (Letter to Bishops)
- The old Missal was “never juridically abrogated, and consequently, in principle, was always permitted.”
- The two rites are “mutually enriching.”
- New saints and new Prefaces from the New Missal “can and should be inserted into the old.”
- There is “no contradiction” between the two rites.
- Priests from communities that adhere to the former usage “cannot, as a matter of principle, exclude celebrating according to the new books.”

So, now that the “Motu Mass” has finally arrived, what should we make of it? Here are some preliminary considerations.

I. Positive Aspects

1. An Admission of Failure

As a seminarian in the 1960s, I lived through the liturgical revolution on the inside, and since then I have read commen-

taries on the reform by those who directed it – Bugnini, Jungmann, Braga, Wagner, Patino, Botte, Vaggagini, Brandolini, and many others.

In those days and for these men, there was never *any* question of allowing the pre-Vatican II Mass to survive, even on a restricted basis. The new rite of Mass in the 1970 Missal of Paul VI was to become *the* Mass of the Roman Rite, period, and it was to be a great step forward for the Church.

This was the intention of Paul VI himself. In November 1969, shortly before his New Mass was to be introduced in churches throughout the world, he developed this theme in two General Audiences:

[The liturgical reform] is a step forward for [the Church's] genuine tradition. It is a clear sign of faithfulness and vitality. - - It is not a fad, a fleeting or optional experiment, the invention of some dilettante - - This reform puts an end to uncertainties, arguments and arbitrary abuses. It summons us back to that uniformity of rites and attitudes that is proper to the Catholic Church - -

[T]he fundamental outline of the Mass is still the traditional one, not only theologically but also spiritually. Indeed, if the rite is carried out as it ought to be, the spiritual aspect will be found to have greater richness. - -

Let us then not speak of a “new Mass,” but of a “new age” in the life of the Church.

The new age is now over. During four decades of “greater richness,” ordinations in the U.S. declined by 72%, seminary enrollment by 90%, seminaries by 66%, teaching sisters by 94%, Catholic school enrollment by 55%, and Mass attendance by about 60%.

In the 1990s, a new generation of clergy started to turn away from the rite of Paul VI and look longingly towards the Tridentine Missal. Graduates of garden-variety diocesan seminaries sought out old-style vestments, took courses on the pre-Vatican II rubrics, celebrated the traditional Mass on the sly, and generally, hoped for something more Catholic than was to be found in the new rite.

If the New Mass had been a success, there would be none of this. The Motu Mass is an admission that the Novus Ordo was a failure.

2. Removing the Stigma

From 1964 to 1984, the modernist hierarchy treated those who wanted the old Mass as outcasts, crackpots and troglodytes.

The 1984 Indult and then the establishment of the *Ecclesia Dei* commission in 1988, however, removed some of the stigma from promoting the “Latin Mass.”

Ratzinger’s Motu Mass will further “legitimize” pre-Vatican II liturgical practices in the eyes of many.

3. A Cause of Division in the Enemy Camp

Despite the elaborate safeguards Ratzinger tried to lay down, Motu Mass will inevitably cause conflict among adherents to Vatican II.

I don’t know about other parts of the world, but I can probably predict how this will play out in suburban America, where the majority of Novus Ordo Catholics now reside. There, in churches architecturally indistinguishable from chain restaurants and bank branches, committees of “empowered” and aggressive laywomen, both salaried and volunteer, together with the occasional liberated “woman religious,” now dictate parish policies and practices. They and their fellow suburbanites like the easy-going Mass and religion of Vatican II just as it is.

Should a neo-con pastor (typically: “Father Bob,” – late 30s, overweight, and in his second career) announce that, thanks to the Motu Proprio, he will be bringing out all the old liturgical gear that he’s bought on eBay and start celebrating the old Mass in Latin at 10AM on Sundays, a parish-wide insurrection, complete with protests to the bishop and a full media campaign, would be organized by the women’s soviet.

Multiply this by a few parishes per diocese, and you can see the strife the Motu Mass could cause among the enemy. A divided house cannot stand, and divisions that advance the decomposition of the new religion can only speed the restoration of the old – *quod Deus det!*

4. Warning Flares for Committed Trad

Most long-time traditionalists detest any tinkering with the Mass. Ratzinger, however, hints at some changes that might be in store for them at their local Motu Mass: new saints' feasts, new Prefaces, and vernacular readings – whether even the Bugnini lectionary can be used is left unclear.

Great! Fooling around like this with the old Mass will make old-timers *very* uneasy, alert them to Ratzinger's game (one hopes), and perhaps even start them on the road to thinking that modernists like Ratzinger are the *problem*, not the solution, for real Catholics.

5. Rubbing Priests' Noses in the New Mass

Since 1988 John Paul II and Ratzinger have approved a great number of quasi-traditionalist religious communities (Fraternity of St. Peter, Institute of Christ the King, the Good Shepherd Institute, etc.) that are allowed to use the '62 Missal and other pre-Vatican II rites. These have insulated many clergy who detested the New Mass from being forced to celebrate it.

No longer. Ratzinger sends them a rocket:

Needless to say, in order to experience full communion, the **priests of the communities adhering to the former usage cannot, as a matter of principle, exclude celebrating according to the new books.** The total exclusion of the new rite would not in fact be consistent with the recognition of its value and holiness.

Again, great! The more that priests in these institutes are personally confronted with the evil of the New Mass, the soo-

ner they will realize the irreconcilable contradictions of their own position.

6. An Introduction to the Real Issues

Although the John XXIII Mass that Ratzinger authorizes is a stripped version of the integral traditional liturgy, it still retains enough of the old to demonstrate that, in comparison, the New Mass of Paul VI represented an entirely new religion – “man-centered,” as one of its creators, Fr. Martin Patino, proudly proclaimed.

For many Catholics, the road to becoming traditionalists began when they encountered a traditional Latin Mass for the first time and compared it with the neo-protestant rite celebrated in their parishes. With the Motu Mass, the possibility of such encounters multiplies exponentially.

This will no doubt lead many sincere and thoughtful souls to look beyond the liturgical question to the larger *doctrinal* issue – the heresies of Vatican II and the post-Conciliar popes – and eventually embrace the only logical position for a faithful Catholic: sedevacantism.

II. Negative Aspects

1. Co-opted by Modernist Subjectivism

Because they still think in the old Catholic religious categories, traditionalists who promoted the Motu Mass will consider its approval a resounding defeat for modernism.

But in fact, something different has occurred: with the Motu Mass, **the modernists will now co-opt unsuspecting trads** into their *own* subjectivist program.

Pope St. Pius X condemned modernism because (among other things) it spurned dogma and exalted the “religious sense” of the individual believer. And the Vatican pronouncements that authorize the use of the traditional Mass – from the 1984 Indult onwards – all do so on the basis of slippery and subjective modernist categories like “different sen-

sibilities,” “feelings,” “legitimate diversity,” “enjoyment,” various “charismata,” “cultural expressions,” “attachment,” etc.¹

Ratzinger now repeatedly sounds this theme: “attachment,” “affection,” “culture,” “personal familiarity,” “mark of identity,” “dear to them,” “attraction,” “form of encounter,” and “sacrality which attracts.”

Everything is reduced to the subjective.

Let the traditionalists who promoted it say what they will. For Ratzinger, the Motu Mass makes them merely one more color in his Vatican II rainbow.

2. A Side Chapel in an Ecumenical Church

As we have repeatedly pointed out elsewhere, Joseph Ratzinger’s personal contribution to the long list of Vatican II errors is his “Frankenchurch” heresy. For him, the Church is a “communion” – a type of ecumenical, One-World Church to which Catholics, schismatics and heretics all belong, each possessing “elements” of the Church of Christ either “fully” or “partially.” According to his *Catechism*, all are part of one big happy “People of God.”

Under this roof, some enjoy Lutheran chorales, guitar Masses, Gregorian chant, communion in the hand, altar girls, lay Eucharistic ministers, Hindu and African “inculturated” liturgies and Mariachi music. Others (in “partial com-

¹ The 1984 Indult: Catholics who are “attached” to the Tridentine Mass. John Paul II’s letter *Ecclesia Dei* (1988): The old Mass is part of a “richness for the Church of a diversity of charisms, traditions of spirituality and apostolate, which also constitutes the beauty of unity in variety; of that blended ‘harmony’ which the earthly Church raises up to Heaven under the impulse of the Holy Spirit. - - Respect must be shown for the feelings of all those who are attached to the Latin liturgical tradition.” John Paul II, 1990 address to the Benedictines of Le Barroux: The traditional Mass is permitted because the Church “respects and fosters the qualities and talents of the various races and nations. - - This concession is meant to facilitate the ecclesial union of persons who feel attached to these liturgical forms.” Cardinal Mayer, 1991 letter to the U.S. bishops: “diversity” and respect for “feelings.” Cardinal Ratzinger, 1998 address in Rome to traditionalists: “Different spiritual and theological emphases - - that richness which pertained to the same single Catholic faith.” Cardinal Castrillon-Hoyos, May 2007: “ritual expression enjoyed by some - - this sensibility.” See also John Paul II, address to Fraternity of St. Peter, October 1998.

munion” with Ratzinger) enjoy somber Orthodox chanting, rock music, priestesses, Anglican smells and bells, Canons with the Words of Consecration missing, accept-Jesus-as-your-perrrrzonal-savior altar calls, and *Filioque*-free Creeds.

It is therefore hardly surprising that Ratzinger would offer traditionalists the Motu Mass, and with it a large and comfy side chapel in his ecumenical church. Just one more option...

And in fact, Fr. Nicola Bux, a Vatican official who was involved in drafting the Motu Proprio, called it just that: an “extension’ of options.”

And of course, there is a price to be paid.

According to Ratzinger’s Motu Proprio and accompanying letter, the *Novus Ordo* – the ecumenical, protestant, modernist sacrilege that destroyed the Catholic faith throughout the world – is the “**ordinary** expression of the law of prayer of the Catholic Church.” Your Motu Mass – the true Mass, you may like to call it – is merely “extraordinary.” The new and the old are merely two uses of **the same Roman Rite**.

If you accept the Motu Mass, you buy into all this, and become a paid-up member of Ratzinger’s One-World Ecumenical Church.

3. Catholic Rituals, Modernist Doctrines

For decades, traditionalists rallied to the cry “It’s the Mass that matters!”

But ultimately this is just a slogan. You can get to heaven without the Catholic Mass, but you *can’t* get to heaven without the Catholic Faith.

Ratzinger will now give you the Mass – but the faith? Will those who accept his generous offer be free to condemn the *Novus Ordo*, the Vatican II errors, and the false teachings of the post-Conciliar popes?

To find out, one need only look at the Fraternity of St. Peter, the Institute of Christ the King and the other organizations already celebrating the old Mass under the auspices

of the Vatican's *Ecclesia Dei* Commission. The most their clergy dared to do was offer the occasional polite criticism about "deficiencies" or "ambiguities" in the new religion. They are now all sold men.

Their principal concern now, like that of the Anglican High Church wing, will be to maintain the *externals* of Catholicism, especially its worship. But the *heart* of Catholicism – the faith – is gone.

So while a neo-con priest who offers a Motu Mass may now find it very thrilling to chant the ancient collects with their "negative" language about hell, divine retribution, Jews, pagans, heretics and the like, he should remember that Vatican II abolished the *doctrinal* presuppositions on which this language was based.²

For the good Father and his congregation, the *lex orandi* which they observe (the traditional Mass) has no connection whatsoever with their official *lex credendi* (the Vatican II religion).

From its 19th-century beginnings, modernism sought to create a religion that is divorced from dogma, but that nevertheless satisfies man's "religious sense." It is ironic that this self-contradicting and dogma-free religion is now fully realized in Ratzinger's Motu Mass.

4. Non-Priests Offering Invalid Masses

"Once there are no more valid priests, they'll permit the Latin Mass."

This was the prediction made in the mid-1970s by the Capuchin Fr. Carl Pulvermacher, an older traditionalist priest who worked with SSPX and was an editor of their U.S. publication *The Angelus*.

It was also prophetic. In 1968, the modernists formulated a new Rite of Episcopal Consecration that is invalid – it can-

² Indeed, when word of the Motu Proprio first started to circulate, the Jews registered protests against the restoration of the old prayers for their conversion. And why not? Didn't Vatican II already assure them of their victory?

not create a real bishop.³ Someone who is not a real bishop, of course, cannot ordain a real priest, and all the Masses – traditional Latin or Novus Ordo – offered by an invalidly ordained priest are likewise invalid.

So nearly forty years later, when, thanks to the post-Vatican II Rite of Episcopal Consecration, there are few validly ordained priests left, the modernist Ratzinger (himself invalidly consecrated in the new rite) permits the traditional Mass.

As a result of the *Motu Proprio*, therefore, traditional Latin Masses will start to be celebrated widely throughout the world: chant and Palestrina will echo in magnificently appointed churches, cloth-of-gold vestments will glisten, clouds of incense will fill Baroque apses, preachers in lace will proclaim the return of the sacred, solemn-faced clerics will officiate with as much rubrical perfection as the truncated rites of John XXIII will allow.

But the *Motu Mass* will all be an empty show. Without real bishops, no real priests; without real priests, no Real Presence; without the Real Presence, no God to receive and adore – only bread...

III. Say No to the *Motu*...

In the long run, the *Motu Mass* will contribute to the steady decline of post-Conciliar religion and the eventual death of Vatican II – Ratzinger's devil-baby, for which Limbo was never an option. At all this, we can only rejoice.

In the short term, however, many gullible traditionalists will be lured to the *Motu Mass* because of convenience or the prospect of "belonging to something bigger."

³ See the articles "Absolutely Null and Utterly Void" (pp. 278-325), and "Still Null and Still Void" (pp. 356-381). The reformers completely changed the essential sacramental form – the one sentence in the rite containing what is necessary and sufficient to consecrate a true bishop. In the process, they removed an essential idea: the power of Holy Orders that a bishop receives. If a sacramental form is changed in such a way as to remove an essential idea, the form becomes invalid.

But the negative aspects of actually assisting at the Motu are pure poison. Here are two key points to remember:

- 1) In most cases, your local Motu Mass will be **invalid**, because the priest who offers it will have been ordained by an invalidly consecrated bishop. Even some Indult parishioners already avoid the Masses of FSSP priests for this reason.
- 2) The Motu Mass is **part of a false religion**. Sure, you have your “approved” Latin Mass and perhaps even your *Baltimore Catechism*. But your co-religionists in the Church of Vatican II also have *their* Mass and *their* Catechism, all “approved” as well.

By assisting at the Motu Mass, you become part of it all and affirm that the differences between you and the folks down the road at St. Teilhard’s are merely cosmetic – “legitimate diversity and different sensibilities, worthy of respect... stimulated by the Spirit,” as John Paul II said to the Fraternity of St. Peter about their apostolate of offering the old Mass.

But if as a faithful Catholic, you’re disgusted at the thought of compromising with heresy and becoming one more color in the modernists’ liturgical and doctrinal rainbow, you have only one choice:

Say no to the Motu!

THE GRAIN OF INCENSE: SEDEVA- CANTISTS AND *UNA CUMMASSES*

Should We Assist at Traditional Masses Offered
“Together with Thy Servant Benedict, Our Pope”?

Rev. Anthony Cekada

November 2007

“Do not allow your tongue to give utterance
to what your heart knows is not true. - -
To say *Amen* is to subscribe to the truth.”
- St. Augustine, on the Canon

“Our charity is untruthful because it is not
severe; and it is unpersuasive, because it is
not truthful - - Where there is no hatred of
heresy, there is no holiness.”
- Father Faber, *The Precious Blood*

In our lives as traditional Catholics, we make many judgments that must inevitably produce logical consequences in our actual religious practice. The earliest that I remember making occurred at about age 14. Guitar songs at Mass, I concluded, were irreverent. Thereafter, throughout eight years in the diocesan seminary, I never once opened my mouth to sing one.

For some questions, the practical course of action that follows from a judgment is self-evident: If the Paul VI rite for making priests and bishops is invalid, we should avoid the Masses these priests and bishops offer.

For other questions, how we must act may not be so obvious – or it may be dictated by instinct, because we cannot necessarily explain all the underlying principles.

For some sedevacantists, one issue in particular falls into the latter category: a traditional Latin Mass offered by a validly ordained priest who utters a phrase in the Canon referring to *Benedict, our Pope*. This practice is followed by all priests who offer the recently instituted Motu Masses, as

well as by priests of the Society of St. Pius X (SSPX), its affiliated organizations and the majority of “independent” traditionalist priests.

These Masses are also sometimes referred to as “*una cum* Masses,” from the Latin phrase in the Canon into which the name of a reigning pope is inserted: *una cum famulo tuo Papa nostro N.* (together with Thy servant N., our Pope)

Now, since a sedevacantist is a traditionalist who has concluded that Benedict XVI is a *heretic* and *not* a true pope, his first instinct is to seek out a traditional Latin Mass offered by a sedevacantist priest, and to *avoid* traditional



Masses where the priest refers to Benedict XVI as a pope. To act otherwise seems contradictory or somehow “feels” wrong for the sedevacantist, even though he may not necessarily be able to articulate any theological reasons or arguments for what he does.

He has read or heard the stories of countless early martyrs who chose horrible deaths, rather than offer even *one* grain of incense in tribute to the false, ecumenical religion of the Roman emperor. So better to avoid altogether the Masses of priests who, through the *una cum*, offer a grain of incense to the heresiarch Ratzinger and his false ecumenical religion...

In many parts of the world, however, the only traditional Latin Mass available may be one offered by a priest (Motu, SSPX or independent) who puts the false pope’s name in the Canon. Faced with choosing this or nothing, a sedevacantist is then sometimes tempted to assist at the Mass anyway.

The temptation will be much greater now, since Ratzinger

has permitted the Motu Mass. In some dioceses, older priests who were validly ordained have come out of retirement to offer Mass according to the '62 Missal. Moreover, a substantial number of priests who were validly ordained in SSPX have defected to organizations like the Fraternity of St. Peter and will also offer the Motu Mass. Such Masses will be valid. Why not simply overlook Benedict's name in the Canon, and "just go for the Mass"? It's just *one* grain of incense, after all...

Although various arguments have been offered to justify the assistance of sedevacantists at *una cum* Masses, none of them really seems to ring true.

The priests who offer these Masses assert in the Canon that Ratzinger is a *true* pope, while a sedevacantist (by definition) affirms the opposite. By actively assisting at such a Mass, a sedevacantist condones the assertion that the celebrant publicly makes in the name of all present – *Benedict, OUR Pope* – an assertion that the sedevacantist knows and believes to be false.

The inconsistency – a complete disconnect between belief and worship – should be obvious after about 10 seconds of reflection. The theoretical conclusion (Ratzinger is not a true pope), we sense, should dictate the practical conclusion (don't assist at Masses where the prayers say the opposite).

But what are the underlying *principles* that should dictate our course of action here? *Why* is it wrong for a sedevacantist to assist actively at a traditional Latin Mass in which the priest employs the phrase *Benedict our Pope* in the Canon?

Because I have written much over the years about sedevacantism, canon law and the sacred liturgy, I am now often asked this question. In this article I will answer it at some length, because I consider the issue crucial for the future of the traditionalist movement.

Moreover, there is a vast amount of material in the writings of popes, dogmatic theologians, canonists, moral theologians, Vatican decrees and liturgical scholars that, taken together, provides us with a very clear answer to this question.

Not everyone will have the patience to slog through a long article. I promise such readers that I will soon produce a brief summary of what follows, much as I offered a short résumé of my study on the 1968 Rite of Episcopal Consecration.

In either version, though, the structure of our inquiry will be fairly straightforward, and we will examine the following points:

- I. The meaning of the *una cum* phrase in the Canon, both linguistically and theologically, and how that meaning must be applied to Ratzinger.
- II. Whether the sedevacantist who actively participates in an *una cum* Mass likewise participates in the prayer that contains that phrase.
- III. Why a sedevacantist should not actively participate in such a Mass.

In this, the long version of the article, we will also present various arguments that have been made to justify assisting at Masses where Ratzinger is offered his grain of incense, and demonstrate how these need to be taken with more than a grain of salt. We will conclude with a summary.

I. The Meaning of the Prayer

The phrase under discussion (*una cum famulo tuo Papa nostro N.*) appears in the opening prayer of the Canon (the *Te Igitur*) that commends the Sacrifice to God. It is indicated below in bold:

- - which in the first place we offer up to Thee for Thy holy Catholic Church, that it may please Thee to grant her peace, to protect, unite and govern her throughout the world, **together with Thy servant N. our Pope, N. our Bishop, and all true believers and professors of the Catholic and Apostolic Faith.**

What does the clause in bold actually mean? And more specifically, what meaning results when the name of Benedict XVI is inserted into the phrase?

To answer these questions, we will look first to the *linguistic* meaning of the phrase, and then to its broader *theological* meaning in the context of the Canon of the Mass.

A. Linguistic Meaning

1. **Grammar.** In an article written in 1992, Father (now Bishop) Donald Sanborn noted that the rules of Latin grammar permitted at least three possible antecedents for the phrase *una cum* (*together with*), each of which produced a slightly different meaning.¹ Subsequent writers have suggested additional readings and meanings.

Lest my readers' eyes immediately glaze over at the mere mention of Latin grammar, I will "translate" these grammatical differences into the meanings that the *una cum* phrase conveys if the name *Benedict* (Joseph Ratzinger) is introduced into it:

- 1) **Adjective** modifying *Church* = *one with*, or *united with*: "The heretic/false pope Ratzinger is *united* to the Catholic Church and vice versa."
- 2) **Adverb** modifying *we offer* = *we offer together with*: "The heretic/false pope Ratzinger jointly offers the Holy Sacrifice of the Mass *along with* the priest and the Church."
- 3) **Appositional link** with *Church* = *for thy Church, which includes*. "The heretic/false pope Ratzinger is among the members of the Church *for* whom the priest and the Church *intercede* through the offering of the Mass."
- 4) **Coordinating conjunction** with *Church, bishop, all true believers* = *and for* Thy servant, the pope: "The priest and the Church offer the Mass *for* the servant of God and heretic/false pope Ratzinger."

Some sedevacantists maintain that the fourth explanation is the only possible meaning for the *una cum* phrase. The

¹ D. Sanborn, "Una Cum," *Sacerdotium* 6 (Winter 1993), 40-1.

petition, they contend, is thus nothing more than a prayer of intercession offered *for* – and they repeatedly emphasize the *for* – the welfare of various members of the Church, rather than some sort of expression of union with a false pope. Thus the mere fact that a priest prays *for* Benedict by name in the Canon should not prevent a sedevacantist from assisting at his Mass. It's a good thing to pray for people, after all...

But this fourth meaning for *una cum* “translates” no better than the first three, because it still places Ratzinger (as its proponents admit) in a prayer offered for the *members of the Church*. And a sedevacantist must reject this fourth proposition as well as the other three, because Ratzinger's heresy removes him not simply from the papacy, but *from the very Church itself*.

The canonists and theologians cited to support the key principle in the sedevacantist case state that it is the *loss of membership in the Church* that produces the loss of the pontificate. Thus the dogmatic theologian Iragui says:

Theologians commonly concede that the Roman Pontiff, if he should fall into manifest heresy, **would no longer be a member of the Church**, and therefore could neither be called its visible head.²

So, no matter how you construe it grammatically, the phrase *together with Thy servant, Benedict, our Pope* still produces an affirmation that the heretic Ratzinger is not only a true pope, but also a member of the true Church.

And this proposition a sedevacantist firmly rejects.

2. Terminology. Obviously, a sedevacantist takes exception to applying the expression *our Pope* to Ratzinger.

But another expression, *Thy servant*, poses a similar problem.

² S. Iragui, *Manuale Theologiæ Dogmaticæ* (Madrid: Ediciones Studium 1959), 371. See also the quotes from Wernz-Vidal, Coronata, St. Antoninus, St. Robert Bellarmine, Badii, Beste and Regatillo in A. Cekada, *Traditionalists, Infallibility and the Pope* (vol. I, pp. 370-376).

The Latin word that the Canon employs is *famulus*. This does not merely connote someone you employ to perform occasional tasks for you – the cleaning lady, the waiter, or (in California) your pool boy or personal trainer.

Rather, in ecclesiastical Latin its sense is *a servant of God; a Christian*.³ In liturgical prayers, it is applied exclusively to members of the Church.⁴ No heretic can be a *famulus*. He has abandoned the service of God in the household of the faith.

Employed in the Canon with the name Benedict, the expression *famulus tuus*, like *una cum*, produces another affirmation that the heretic Ratzinger is a member of the Church.

Once again, this is a proposition that a sedevacantist rejects.

3. Context. There are two more terms in the context of the phrase that pose problems.

(a) The designation of Ratzinger as *our Pope* occurs in a phrase linking him to – indeed placing him *before* – *all true believers and professors of the Catholic and Apostolic Faith*. (The Latin word is *orthodoxis*.)

While a few liturgical scholars maintained that the phrase refers to all Catholics, lay and clerical, most say that it refers to Catholic bishops. These are by definition *orthodoxi* and, in virtue of their office, what the Latin terms *cultores* (cultivators, protectors, promoters) of the Catholic and apostolic faith.

The sedevacantist knows that Ratzinger, if anything, is the opposite.

(b) St. Robert Bellarmine says that the three prayers that begin our Canon (*Te igitur*, the *Memento* of the Living, and *Communicantes* that contains the names of the saints) are but one prayer. The third, *Communicantes* (*In communion with*) joins “the mortals who are in the Church Militant” with

³ M. Ellebracht, *Remarks on the Vocabulary of the Ancient Orations in the Missale Romanum* (Nijmegen: Dekker 1963), 30.

⁴ For examples, see P. Bruylants, *Les Oraisons du Missel Romain* (Louvain: CDIL 1952) 1:236.

“the saints who reign with Christ in heaven.”⁵

And again, this poses the same problem: If Ratzinger is a heretic, he cannot be *in communion with* either the Church Militant or the Church Triumphant.

B. Theological Meaning in the Liturgy

Thus the linguistic considerations. But what of the far more important *theological* meaning that is attached to mentioning the pope by name in the most solemn prayer of the Catholic liturgy?

Here is how various popes and liturgical scholars have explained its significance.

1. Recognition of the Head of the Church. In a Bull addressed to Eastern Rite Catholics, this was one of the meanings that Pope Benedict XIV (1740-1758) assigned to the mention of the pope's name in the Sacred Liturgy:

It suffices Us to be able to state that a commemoration of the supreme pontiff and prayers offered for [the pope] during the sacrifice of the Mass is considered, and really is, an affirmative indication which recognizes him as the head of the Church, the vicar of Christ, and the successor of blessed Peter.⁶

2. Recognition of the Principle of Unity. In his lengthy book on the Canon of the Mass, Father Gassner observed of the first prayer in the Canon:

⁵ De Missa, 6.21, in *De Controversiis Christianæ Fidei* (Naples: Guiliiano 1858) 3:565. “Prima igitur oratio Canonis, quæ incipit: *Te igitur clementissime Pater*, extenditur usque ad illud: *Hanc igitur oblationem*. - - [The intervening prayers] non sunt diversæ orationes, sed partes sunt primæ orationis. - - *Communicantes* non haberet ullum sensum, nisi continuaretur cum præcedentibus verbis. - - [This one continuous prayer] continet nomina eorum, pro quibus offertur et in quorum honorem offertur sacrificium, id est, mortalium qui sunt in Ecclesia militanti, et etiam sanctorum, qui cum Christo regnant in cœlis.”

⁶ Bull *Ex Quo* (1 March 1756), ¶12 in *S.D.N Benedicti Papæ XIV Bullarium* (Mallines: Hanicq 1827) 4:299. “Nobis satis est affirmare posse, commemorationem Romani Pontificis in Missa, fusasque pro eodem in Sacrificio preces, censeri, et esse, declarativum quoddam signum, quo idem Pontifex tanquam Ecclesiæ Caput, Vicarius Christi, et B. Petri Apostoli Successor agnoscitur.”

The unity prayed for is specified with the addition of the names of the Pope and the Bishop as the principle of that unity.⁷

Further, according to a commentary by Fr. Thalhofer:

The petition is offered for those instruments through which God guides and governs the Church: first, the Pope as the head of the whole Church and the supreme bearer of ecclesiastical unity.⁸

One of Cardinal Schuster's observations lends additional support to this point. He says that older manuscripts of the Canon include only the petition that mentions the Pope, and not the petitions referring to the diocesan bishop and *all true believers*. Thus the expression *una cum* (together with) more clearly refers back to the word *Ecclesia* (Church).⁹

We see this in a 9th-century Missal from the time of Charlemagne. Here the sense of the phrase is clearly:

for Thy holy Catholic **Church**, that it may please Thee to grant her peace, to protect, unite and govern her throughout the world, **united with** Thy servant N. our Pope.¹⁰

3. Profession of Communion with the Pope. This was yet another meaning that Pope Benedict XIV attached to the practice of mentioning the name of the pope in the Mass.

[This commemoration of the pope is, moreover] the profession of

⁷ J. Gassner, *The Canon of the Mass: Its History, Theology, and Art* (St. Louis: Herder 1950), 225-6.

⁸ V. Thalhofer, *Handbuch der Catholicischen Liturgie* (Freiburg: Herderische Verlagshandlung), 164. "Die sichtbaren Organe, durch welche Gott die Kirche leitet und regiert und für welche daher zuerst gebete wird, sind der Papst als Oberhaupt der ganzen Kirche und oberster Träger der kirchlichen Einheit."

⁹ I. Schuster, *The Sacramentary (Liber Sacramentorum)* (London: Burns Oates 1924), 1:273.

¹⁰ H.A. Wilson ed., *The Gregorian Sacramentary under Charles the Great, Edited from Three Mss. of the Ninth Century*, (London: 1915), 2. "pro ecclesia tua sancta catholica quam pacificare custodire adunare et regere digneris toto orbe terrarum una cum famulo tuo papa nostro illo. Memento domine - -" A footnote indicates that one of the manuscripts adds the phrase "et antistite nostro *illo* et omnibus orthodoxis atque catholicæ et apostolicæ fidei cultoribus," which appears in the Canon of the Missal of Pius V.

a mind and will which firmly espouses Catholic unity. This was rightly noticed by Christianus Lupus in his work on the Councils: "This commemoration is the chief and most glorious form of communion"¹¹

We have mentioned St. Robert Bellarmine's contention that what we now think of as the first *three* prayers of the Canon (*Te igitur*, *Memento* and *Communicantes*) should be thought of as *one* prayer expressing the idea of communion among the members of the Church.

Cardinal Schuster offered a reconstruction of an earlier version of the text of the Canon that reflected this. He maintained that the word that begins what is now the third prayer of the Canon (*communicantes*, meaning *in communion with*) was directly linked without any intervening prayer to the petition in the first prayer that mentioned the name of the pope.

The sense of the text that results is as follows:

which we offer unto Thee for thy Church - - **we who are in communion with** and one with Thy servant, our pope, and venerating first of all the glorious and blessed ever-virgin¹²

4. Profession of Communion with the True Church. This is the conclusion one draws from the teaching of Pope Pelagius I (556-61) in a letter of rebuke to schismatics:

How can you believe that you are not separated from communion with the universal church if you do not mention my name within the sacred mysteries, as the custom is?¹³

And further, according to the commentary on the Mass by Canon Croegaert:

¹¹ Bull *Ex Quo*, ¶12, *Bullarium* 4:299. " - - ac professio fit animi et voluntatis Catholicæ unitati firmiter adhærentis; ut etiam recte advertit Christianus Lupus, super Conciliis scribens [cite omitted] *Hæc commemoratio est suprema et honoratissima Communionis species.*"

¹² *Sacramentary*, 1:275, 276-7. "tibi offerimus pro Ecclesia tua - - una cum famulo tuo Papa nostro communicantes sed et memoriam venerantes imprimis gloriosæ."

¹³ *Epistola* 5, PL 69:398. "Quomodo vos ab universi orbis communionem separatos esse non creditis, si mei inter sacra mysteria, secundum consuetudinem, cominis memoria reticetis?"

To pray for the Pope is to give witness that you live in communion with the Head of the true Church.¹⁴

5. A Sign of Orthodoxy. In a lengthy discussion of the first prayer of the Canon, Cardinal Schuster also states:

The mention of the name of the Pope in the Canon is a proof of the orthodoxy of the offerer.¹⁵

6. Authorized Intermediary with God. Dom de Puniet offers this as yet another theological explanation:

The first name after the universal Church to be commended to God is that of the ruling Pontiff, the visible pastor and the authorized intermediary with almighty God for the various members of his flock.¹⁶

C. Application to Ratzinger

The fundamental problem with applying the *linguistic* meanings of the *una cum* phrase to Ratzinger, as we noted in (A), is that they all place him within the Church, where, as a heretic, he cannot be.

However, when we apply the *theological* meanings given above (1-6) to the phrase: *together with Thy servant Benedict our Pope*, in the Canon, here is what results:

- The heretic/false pope Ratzinger is “the head of the Church, the vicar of Christ, and the successor of blessed Peter.”
- The acknowledgment of the heretic/false pope Ratzinger in the Canon is “the chief and most glorious form of communion” with him, “the profession of a mind and will which firmly espouses Catholic unity.”

¹⁴ A. Croegaert, *Les Rites et les Prières du Saint Sacrifice de la Messe* (Paris: Casterman n.d.) 2:106. “Prier pour le Pape c’est témoigner qu’on vit en communion avec le Chef de la vraie Eglise.”

¹⁵ *Sacramentary* 1:276.

¹⁶ *The Mass: Its Origin and History* (New York: Longmans 1930), 137.

- The inclusion of the name of the heretic/false pope Ratzinger in the Canon specifies him as “the principle of unity.”
- Mentioning the name of the heretic/false pope Ratzinger in the Canon is a sign that you “are not separated from communion with the universal church.”
- The mention of the name of the heretic/false Pope Ratzinger in the Canon “is a proof of the orthodoxy of the offerer.”
- The heretic/false pope Ratzinger is the “ruling Pontiff, the visible pastor and the authorized intermediary with almighty God for the various members of his flock.”

A sedevacantist would consider each of these propositions a theological horror or absurdity. Yet these are what results when a priest professes in the Canon that he offers the traditional Mass *una cum* – *together with Thy servant Benedict, our Pope*.

II. Your Participation and Assent

Thus far, we have discussed the meaning of what the priest says at the altar.

But what bearing, if any, does all the foregoing information have on the proverbial man in the pew – in this case, a sedevacantist who, for some reason or another, is trying to figure out whether or not he should assist at an *una cum* Mass that is offered in the traditional rite by a validly-ordained priest?

The innate human inclination to act in a way consistent with firmly-held convictions tells the sedevacantist that he should *not* assist at such a Mass. His presence implies consent.

On the other hand, it is the *priest* who utters the heretic’s name. The sedevacantist *objects* to the practice. Can he *withhold* his consent from the phrase *together with Thy servant Benedict our Pope*? Some have argued – and rather insistent-

ly – that this is possible.¹⁷

But it is not, and the notion is completely ridiculous.

This theory falls into the category of what I call “lay theological error,” because it is based on underlying principles that virtually *any* priest, no matter how dim or poorly educated, would instinctively sense are completely wrong. Other examples in this category are Feeneyism, Liénartism, Sirio-papism and condemnations of NFP.

Here is why a traditional Catholic priest will immediately sense a problem with the “withhold-consent” theory. He spends about one-and-three-quarter hours a day reciting the Church’s official public prayers – the Divine Office and the Mass. All of these prayers, virtually without exception, are composed in the first-person plural: *We* pray, *we* offer, *we* beseech, etc.

The priest knows that these official prayers are phrased this way for a reason: He, the priest, prays them on behalf of and in union with Our Lord and His Church, including all its lay members – and moreover in the case of the Mass, united with the faithful who are present.

This is the nature of the Church’s liturgical prayer. For the laymen so bold as to “disagree” with petitions the priest makes in the various prayers prescribed for Mass, there are no “opt-out” or Country Buffet provisions. It is all of one piece. As Paulina, our long-time cook, says about her menu: You have two choices: take it or leave it.

To understand why the very idea of an *una cum* opt-out is a liturgico-theological impossibility, we now turn to some specific points about how we assist at Mass, what our participation connotes, how the laity present cooperate with the priest in offering the Sacrifice, and specifically, how and why the laity give their assent to the prayers of the Canon in particular.

A. How You Actively Participate at Mass

¹⁷ Not only that, but some even *recommend* that sedevacantists assist at *una cum* Masses as a sort of fast lane to fostering back-slapping mateyness among trads.

Traditional Catholics tend to look upon a sacrament as primarily something the priest *gives* and the layman *receives*. The priest is active, the layman passive. The priest *confers* the sacrament; the lay recipient cooperates and *consents* to receive it.

This paradigm does not hold, though, for assistance at Mass. You are not meant merely to *consent* and to *receive* something passively (grace, Holy Communion, “credit” for fulfilling your Sunday obligation, etc.), but to *participate* and to *give* something. What are you meant to give? Active worship of God, because as a result of your baptism, you are both privileged and obliged to participate, according to your state, in offering up the Holy Sacrifice.

Please note the verb: participate.

Unfortunately, during and after Vatican II, the modernists appropriated this language, corrupted its real meaning, and used it to transform the Mass into an engine for doctrinal revolution throughout the world. Thus, they turned the priest into a president, the “assembly” into the primary agent of worship, and regimented “responses” into the only permissible indicator of participation, with all present pummeled into submission by microphones and speakers that project the Giant Amplified Voice.

Traditionalists, therefore, are understandably skittish about any talk of how they are supposed to assist or participate *actively* in offering the Holy Sacrifice. Nevertheless, active assistance and participation in the Mass, understood in the correct sense, is *required* of every Catholic.

At the traditional Mass, how do members of the laity manifest their active assistance or participation in the Mass? There are several ways, and this list is by no means exhaustive.

- 1) By receiving Holy Communion during the Mass.
- 2) Serving Mass for the priest at the altar.
- 3) Singing in the choir.
- 4) Singing responses as a member of the congregation at High Mass, or singing hymns during Low Mass,

where either practice is the custom.

- 5) Using a Missal to follow and pray privately the prayers of the Mass as the priest recites them at the altar.
- 6) Using a book of meditations or prayers that follows the actions of the Mass.
- 7) Reciting the Rosary, while looking at the sacred actions taking place at the altar.
- 8) Attentively following the actions of the priest at the altar while making the customary external signs of devotion appropriate to each part of the Mass (standing, sitting, kneeling, striking your breast, making Signs of the Cross, looking up at the Sacred Host, folding your hands, etc.)
- 9) Physical presence, accompanied by the intention to assist at Mass and fulfill the Sunday obligation, together with a certain degree of attention during the rite.

In one or more of the foregoing, of course, the traditionalist reader will recognize the method he employs every Sunday when he goes to Mass. But whichever of these methods the layman chooses, it does in fact constitute a true and active participation in the Mass.

B. Active Participation = Your Approval

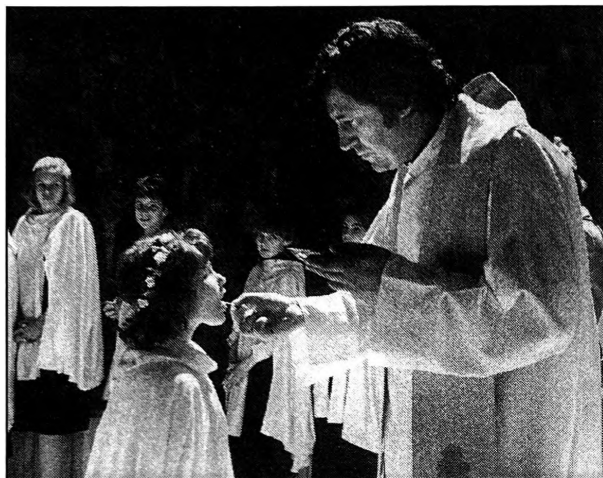
Apart from an exterior manifestation of piety within, what does such active participation in common worship connote in general?

The longer treatises on canon law and moral theology explain that active participation in a religious rite constitutes an *implicit approval of the rite* and a *sign of unity in religion*.

Joint participation (*communicatio*), says the Spanish canonist and theologian Regatillo, consists in “performing an act simultaneously with another person in such a way that both persons morally participate in the same action.” In worship this occurs through “gestures, movements, or cere-

monial signs" that are somehow determined by convention.¹⁸ These, says Benedictine canonist Beste, connote "cooperation or common action with another in the prayers and functions of worship."¹⁹

The Dominican moral theologian Merkelbach says that active religious participation "is rightly considered a sign of religious unity." It constitutes "implicit approval of an exercise of worship."²⁰



exercise of worship."²⁰

So even according to general principles of moral theology and canon law, a sedevacantist who actively assists at a Mass in which the priest employs the phrase *together with Thy servant Benedict*

our Pope in the Canon is presumed to cooperate with and approve of what takes place.

C. You Join with the Action of the Celebrant

More than that, however, the laymen who actively assist at the traditional Mass through one of the methods we have described above do not simply *approve* of what the priest does at the altar; they actually *join with him* in offering it.

¹⁸ E.F. Regatillo, *Institutiones Iuris Canonici* (Santander: Sal Terræ 1956) 2:103. "Communicatio in aliqua actione est positio illius cum alio, ita ut actio moraliter eadem ab utroque participetur - - Edere gestus, motus, signa ceremoniarum, quæ ex conventionem determinata - -"

¹⁹ U. Beste, *Introductio in Codicem* (Collegeville: St. Johns 1946), c. 1258. "cooperationem seu communem actionem cum alio in orationibus et functionibus cultus."

²⁰ B. Merkelbach, *Summa Theologiæ Moralis* (Montreal: Desclée 1949) 1:753-54. "recte existimaretur ut signum religiosæ unitatis." "implicita approbatio exercitii cultus."

Various popes and pre-Vatican II theologians have explained how and why:

- **Pope Innocent III (1198-1216):** “Not only do the priests offer the sacrifice, but also all the faithful: for what the priest does personally by virtue of his ministry, **the faithful do collectively by virtue of their intention.**”²¹
- **Maurice de la Taille SJ (1920):** “The Congregation Who Assist at Mass, as Offerers. - - Those who assist exert, in a greater degree than those who are not present, their native power to offer as members of the ecclesiastical body, in so far as they are more intimately united with the sacrifice by this outward expression of actual devotion. **By their presence they indicate that they ratify, as far as in them lies, the offering which is made in their name, and hence by a special title they make it their own and offer it.**”²²
- **Henry Noldin SJ (1920):** “The special and accessory offerers are those faithful who unite themselves in some way by their actions to the priest offering the Mass. - - In the second place are **those who are actually present at the Mass, who therefore participate by their will and their presence.**”²³
- **Pope Pius XII (1947):** “The people unite their hearts in praise, impetration, expiation and thanksgiving with the prayers or intention of the priest, even of the High Priest himself, so that in the one and the same offering of the victim and

²¹ Innocent III, *De Sacro Altaris Mysterior*, 3.6. “Non solum offerunt sacerdotes, sed et universi fideles: nam quod specialiter adimpletur ministerio sacerdotum, hoc universaliter agitur voto fidelium.”

²² M. de la Taille, *The Mystery of Faith* (London: Sheed & Ward 1950) 2:260.

²³ H. Noldin, *Summa Theologiæ Moralis* (Innsbruck: Rauch 1920) 3:166. “Offerentes speciales et accessorii sunt fideles, qui sacerdoti offerenti aliquo modo actu se adiungunt - - secundum locum obtinent, qui missæ reipsa intersunt, qui ergo voluntate et præsencia sua participant.”

according to a visible sacerdotal rite, they may be presented to God the Father.”²⁴

- **Felix Cappello SJ (1954):** “The special offerer (which many call the secondary and accessory offerer) is each and every member of the faithful who (as we have indicated above) **joins in offering the sacrifice through some external assent** [- - which Suarez correctly describes as - -] ‘**to assist by consenting and by morally cooperating**’.”²⁵

The sedevacantist therefore does indeed manifest consent and moral cooperation with the action of the priest as he offers the sacrifice *together with Thy servant Benedict our Pope*.

D. You Participate in and Ratify the Canon

And still more to our point, the faithful who actively assist at the traditional Mass ratify, assent to and participate in the prayers of the Canon that the priest recites, even though they do not vocally recite these prayers themselves.

For this point, we draw our proofs from two sources, the Fathers of the Church and Pius XII:

1. The Church Fathers. The theologians we have cited to demonstrate that the people join with the priest in offering the sacrifice point to the writings of the Fathers of the Church, who state explicitly that the faithful ratify and affirm the truth of the “prayer of thanksgiving” the celebrant recites, that is, the Canon:

- **St. John Chrysostom:** “The prayer wherein thanksgiving is made [the Canon] **is common to both** [that is, the priest and the people], it is not the priest

²⁴ Pius XII, Encyclical *Mediator Dei* (20 November 1947), ¶93.

²⁵ F. Cappello *Tractatus Canonico Moralis de Sacramentis* (Rome: Marietti 1954) 1:494. “Offerens specialis – quem nonnulli vocant *secundarium et accesorium* – est omnis et solus fidelis, qui, ut supra innimus, sacrificio offerendo cooperatur per quandam concursum externum. - - ‘denique assistere consentiendo, ac moraliter cooperando...’”

alone, but the whole of the people who give thanks to God. For it is only when he [the priest] has taken up their words, by which they have agreed that it is meetly and justly done, that he begins the action of thanksgiving or Eucharist.”²⁶

- **St. Augustine:** “When you have heard the priest say: *Lift up your hearts* you reply *We have lifted them up to the Lord*. Take pains to answer truthfully, because you are answering in the presence of the action of God. Let it be so, as you say it is; do not allow your tongue to give utterance to what your heart knows is not true. - - To say *Amen* is to subscribe to the truth. In Latin *Amen* means *It is true*.”²⁷
- **St. Remigius of Auxerre:** “The *Amen*, which is answered by the whole church, means *it is true*. The faithful therefore give this reply to this great mystery, as they do in all legitimate prayer, and they as it were subscribe to its truth by so replying.”²⁸

Although in the traditional Mass the choir (at High Mass) or the altar boy (at Low Mass) now make these responses vocally, they do so not only as representatives of the whole Catholic Church, but also as representatives of the faithful present and devoutly assisting at Mass.

²⁶ St. John Chrysostom, Homily *In II Cor.*, 18.3, PG 61:527. “Rursus ea oratio, qua Deo gratiæ aguntur, utriusque communis est: neque enim ipse solus gratias agit, sed etiam plebs universa. Nam cum prius illorum vocem sumpsit, atque illi assenserunt id digne ac juste fieri, tum demum gratiarum actionem auspicatur.”

²⁷ St. Augustine, Homily *de Sacramento Altaris ad Infantes*, 3, PL 46:836. “- - cum audieritis a Sacerdote: *Sursum cor!* Respondetis: *Habemus ad Dominum*. Laborate, ut verum respondeatis. Quia apud acta Dei respondetis, sic sit, quomodo dicitis. Non lingua sonet, et conscientia neget. - - Ad hoc dicitis: *Amen*. Amen dicere suscribere est. Amen latine interpretatur Verum.”

²⁸ Remigius of Auxerre, *De Celebratione Missæ et Ejus Significatione*, PL 101: 1265. “*Amen* autem, quod ab omni Ecclesia respondetur, interpretatur, verum. Hoc ergo ad tanti mysterii consummationem, sicut et in omni legitima oratione, et quasi subscribunt respondendo.”

2. Pope Pius XII. In *Mediator Dei*, his great encyclical on the Sacred Liturgy, Pius XII treats at great length the role that the laity play in offering the Holy Sacrifice.

Moreover, the rites and prayers of the Eucharistic sacrifice signify and show no less clearly that the oblation of the Victim is made by the priests in company with the people. For not only does the sacred minister, after the offering of the bread and wine when he turns to the people, say the significant prayer: "Pray brethren, that my sacrifice and yours may be acceptable to God the Father Almighty;" but also the prayers by which the divine Victim is offered to God are generally expressed in the plural number: and in these it is indicated more than once that the people also participate in this august sacrifice inasmuch as they offer the same.²⁹

He quotes several passages in the Canon to demonstrate this truth:

- "For whom we offer, or who offer up to Thee - - We therefore beseech thee, O Lord, to be appeased and to receive this offering of our bounded duty, as also of thy whole household."
- "We thy servants, as also thy whole people."
- "[We] do offer unto thy most excellent majesty, of thine own gifts bestowed upon us, a pure victim, a holy victim, a spotless victim."

The language of the first prayer of the Canon that the priest at an *una cum* Mass uses to make the common offering – "which we offer up to Thee - - together with Thy servant Benedict, our Pope" – is not such, then, that a sedevacantist can "withhold consent" from it. Together with the priest at the altar, he joins in offering the grain of incense to Ratzinger.

²⁹ *Mediator Dei*, ¶84.

III. Why You Should Not Participate

In the two previous sections we established that: (1) The various linguistic and theological meanings for the phrase *together with Thy servant Benedict, our Pope* all place Ratzinger within the Church and explicitly acknowledge him as a true pope, and (2) a layman who assists or actively participates at a Mass in which a priest employs that phrase in the Canon likewise participates in and ratifies the priest's affirmation that Ratzinger *is* a true pope.

For a sedevacantist to do so, obviously, would be inconsistent and contradictory. But would it actually be wrong?

The short answer is yes – and for a whole host of reasons. For the most part, however, they are merely the logical consequences of the underlying idea identified above in section II.B: that active participation in a religious rite constitutes an implicit *approval of the rite* and a *sign of unity in religion*.

Positively, the idea is summed up in the famous Latin adage *lex orandi, lex credendi* (the law of praying is the law of believing). Theologians and liturgical scholars have spent quite a bit of time exploring this interrelationship.

On the negative side, the same idea is also behind Church legislation prohibiting *communicatio in sacris* – active participation in common worship with heretics and schismatics. These laws and pronouncements explain the doctrinal and moral principles that make it wrong for a Catholic to participate in a rite that somehow compromises his faith – “lest faith either be lost or endangered,” as an 1859 Decree from the Holy Office explains.

For this reason, St. John strictly commands: “If any man come to you and bring not this doctrine, receive him not into the house nor say to him: *Ave*. For he that saith unto him: *Ave*, communiceth with his wicked works.” It is clear from these words that **whatever expresses anything equivalent to *Ave* is prohibited, such as liturgical actions that were instituted to signify ecclesiastical unity.** For this reason, we read that the Fathers of the Council of Carthage decreed it forbidden *either to pray or*

We will turn to these principles here in order to explain why it is wrong for a sedevacantist to assist actively at an *una cum* Mass.

A. A Pernicious Lie

It is best to begin with something obvious: the moral virtue of *truthfulness*, sometimes also called *truth* or *veracity*. By this virtue, we exhibit external signs (either words or deeds) that manifest to others what is in our mind.³¹

Opposed to this, obviously, is the sin of lying. We tend to think of lies only in terms of false statements we knowingly make in words, either in speech or writing. But *any* external sign, including our deeds or actions, can be a false statement and therefore a lie as well.³²

In the case at hand, the sedevacantist believes Ratzinger is not a true pope. Yet when the sedevacantist participates actively in an *una cum* Mass, by that very fact he affirms the *opposite* of what is in his mind. In so doing, he *lies*, because he knows that what he affirms through his actions – his participation – is false.³³

³⁰ SO Instruction *Communicatio*, 22 June 1859, in *Collectanea S. Cong. de Prop. Fide* 1:1176. “Unde S. Ioannes severe præcepit: *Si quis venit ad vos et hanc doctrinam non affert, nolite recipere eum in domum, nec ave dixeritis ei, qui enim dicit illi ave communicat operibus eius malignis.* (Ioan. 2. 10). Evidentissime ex his verbis prohibitum iri infertur quidquid huiusmodi *ave* exprimit, prout sunt actiones liturgicæ quæ ad ecclesiasticam unitatem significandum institutæ fuisse. Quapropter a PP. Concilii Carthaginensi sancitum legimus *cum hæreticis nec orandum nec psallendum...*”

³¹ Merkelbach 2:849. “signa externa (verba aut facta) quibus mentem nostram manifestamus proximo.”

³² Merkelbach 2:857. “quocumque signo externo, sive verbo, sive scripto, sive gestu, sive facto; - - *mendacium stricte dictum* quod fit verbis vel signis æquivalentibus...”

³³ To commit the sin of lying, it is not necessary to have the *explicit* intention to deceive another. It suffices merely to *know* that something is false and *intend* to say it, for the effect proper to a false statement is to deceive. Merkelbach 2:857. “*Contra mentem*, scil. quæ procedit ex intentione falsum *enuntiandi* - - In hac intentione implicite includitur intentio fallendi, quia effectus proprius falsæ enuntiationis est ut alius fallatur; quod autem aliquis explicite intendat falsitatem in opinione alterius constitutere, non pertinet ad speciem seu essentiam mendacii, sed ad quamdam perfectionem ejus.”

To the affirmation in the Canon that the heretic/imposter Ratzinger is “our Pope,” the sedevacantist, through his participation, says beforehand that *It is right and just*, and afterwards *Amen, it is so*. He gives utterance, as St. Augustine says, to what his heart knows is not true. And that is a lie – and a lie is always wrong.

And here we have not merely the proverbial “little white lie” about something trivial, but rather a *pernicious* lie, so called because of the particular harm it causes. The Dominican theologian Merkelbach explains:

The gravest of all lies is one that harms God in a matter concerning religion. - - The pernicious lie is a **mortal sin by its very nature** due to the evil attached to it, either because of its matter, if it concerns religious doctrine - - or because of its end, if it is uttered to the injury of God or to the notable harm of neighbor.³⁴

And so, it is alongside this principle – “the gravest of all lies is one that harms God in a matter concerning religion” – that the sedevacantist must line up all the lies about Ratzinger that he affirms by participating in an *una cum* Mass: that the heretic/false pope Ratzinger is a member of the Church, head of the Church, successor of St. Peter, principle of unity in the Church, sign of communion with Christ’s Church, touchstone of orthodoxy, the authorized intermediary with God, and so on.

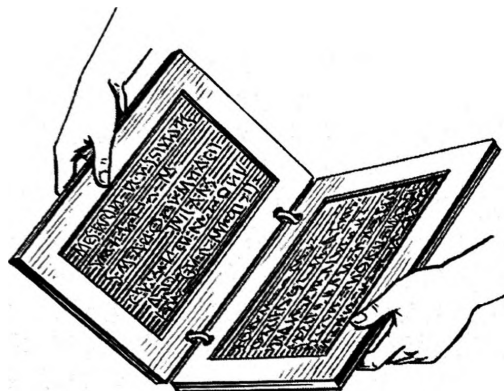
To participate in this is to ignore St. Augustine’s solemn warning to Catholics about the Canon: “Take pains to answer truthfully, because you are answering in the presence of the action of God. Let it be so, as you say it is.”

B. A Profession of Communion with Heretics

³⁴ Merkelbach 2:859. “specialis nocimenti inferendi; - - omnium autem gravissimum est mendacium quod nocet Deo in re religionis. - - mendacium autem perniciosum est mortale ex genere suo propter malum adiunctum, sive ex parte materiæ, si fiat in doctrina religionis, - - sive ex parte finis, si dicatur in iniuriam Dei aut in notabile detrimentum proximi.”

“The Sacrifice of the Mass,” says the theologian Merkelbach, is *directly* offered only for members of the Church.”³⁵

For this reason, the Church does not offer intercessory prayers for heretics and schismatics during the course of the Mass, nor can a heretic or a schismatic be mentioned by name in a liturgical prayer.³⁶ They are outside the communion of the Church.



This principle was strictly observed from the earliest days in the Church. Beginning in the third century, the names of Catholics who were being prayed for (e.g., the pope, bishops, illustrious lay persons, benefactors) were written

on pairs of little tablets called “diptychs,” and the lists were read out at Mass. These lists played an important role in the liturgy and in the life of the Church:

The purpose and chief use of the diptychs was to retain Catholic communion both of the living with one another and of the living with the dead.³⁷

To read the name of a living bishop in the diptychs was always a recognized sign of communion with him.³⁸

Omitting someone’s name from the diptychs, on the other hand, declared that a person was *outside* the communion of the Church:

³⁵ Merkelbach 2:696. “Sacrificium missæ *directe* offertur tantum pro membris Ecclesiæ.”

³⁶ Once a year (on Good Friday) the Church offers a liturgical prayer for their conversion only, and it is recited outside of Mass. See Bruylants, 2:227.

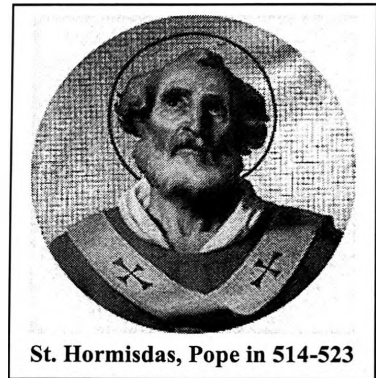
³⁷ *Missale Mixtum*, PL 85:541, note. “Finis est usus præcipuus diptychorum erat ut retineretur catholica communio tum vivorum inter se, tum vivorum et mortuorum.”

³⁸ A. Fortescue, *The Formula of Hormisdas*, CTS 102 (London: Catholic Truth Society 1913), 12.

The liturgical diptychs admitted only the names of persons in communion with the Church; **the names of heretics and of ex-communicated members were never inserted.**³⁹

In an excellent article on the *una cum* problem written in 2002, Patrick Henry Omlor, one of the leading lights from the early days of the U.S. traditionalist movement, explains in detail how Pope St. Hormisdas (514-23) not only refused to admit heretics to communion, but also broke communion with other ecclesiastics in the East who merely *recited the names* of heretics in their diptychs. The pontiff required the bishops of the world to sign a formulary called “The Rule of Faith.”

The main object of the Rule of Faith of Pope St. Hormisdas was to condemn the naming of heretics in the diptychs, - - reportedly 2,500 bishops signed the Rule of Faith in order to become restored to communion with the Church. **Until they signed they were denied communion solely and specifically because they had persisted in naming heretics in their diptychs.**⁴⁰



A sedevacantist who actively participates at a Mass in which the heretic Ratzinger is named in the Canon, therefore, acts against the ancient tradition of the Church and puts himself in communion with someone he knows is a heretic.

C. Recognizing the One-World, Ecumenical Church

In addition to this general problem relating to communion with heretics, there is a more specific danger to the faith posed by the post-Vatican II teachings on the Church.

³⁹ R. Maere, “Diptych,” *Catholic Encyclopedia* (New York: 1913) 5:23.

⁴⁰ *Sedevacantists and the “Una Cum” Problem* (Verdale WA: Catholic Research Institute 2002), 8-9.

Creating a dogma-less, ecumenical super-church like this has been the goal of Masons, liberals and modernists ever since the early 19th century. We have repeatedly pointed out that Joseph Ratzinger's personal contribution to the long list of Vatican II errors is his Frankenchurch heresy. For him, the Church is a "communion" to which Catholics, schismatics and heretics all belong, each possessing "elements" of the Church of Christ either "fully" or "partially." According to his *Catechism*, all these belong to one and the same People of God.

Since the naming of Ratzinger is indeed a profession of communion with him,⁴¹ it is likewise a profession of communion with the ecumenical, One-World church of which he professes to be the head – an institution which a sedevacantist, obviously, repudiates.

This, in turn, poses another problem...

D. Implicit Profession of a False Religion

Each Catholic is required to make a *profession of faith* – an external manifestation of faith through some appropriate sign.⁴²

Negatively, this precept forbids a Catholic "to deny the faith exteriorly – whether expressly or tacitly, whether by word, sign or deed (e.g., silence) – or to profess or to simulate a false faith." This can occur:

- - *indirectly and implicitly* if without the intention of denying the faith, one performs an action which is understood by others as a denial of the faith - - *by actions*, - - those who perform an action which either in itself or **from the circumstances signifies the profession of a false religion.**⁴³

⁴¹ See above, section III.B.

⁴² Merkelbach 1:711. "Confessio fidei est externa eius manifestatio per aliquod signum ad hoc idoneum."

⁴³ Merkelbach 1:712. "- - confitendi fidem prohibet, ullo unquam caso vel periculo etiam mortis, expresse vel tacite, verbo vel signo vel facto (silentio v.g.), fidem exterius negare vel falsam profiteri aut simulari. - - Quod fieri potest - - *indirecte et implicite*, si absque intentione negandi actionem ponit quæ ab aliis ut negatio fidei habetur, - - *factis* - - qui ponunt actionem quæ ex se vel ex circumstantiis significat professionem falsæ religionis."

And indeed this is why martyrs went to their deaths rather than place the grain of incense into the fire before the image of the false god.

There was a time when all traditionalists – not just sedevacantists – regarded the religion of Vatican II as nothing less than a false religion, set up in opposition to the Catholic Church. Thus Archbishop Marcel Lefebvre’s ringing declaration after his suspension by Paul VI in 1976:

That Conciliar Church is a schismatic Church, because it breaks with the Catholic Church that has always been. It has its new dogmas, its new priesthood, its new institutions, its new worship, all already condemned by the Church in many a document, official and definitive - -

The Church that affirms such errors is at once schismatic and heretical. This Conciliar Church is, therefore, not Catholic.⁴⁴

Benedict XVI, of course, is now the head of this entity. For a sedevacantist to participate actively in a Mass offered “together with Thy servant Benedict, our Pope,” is to affirm that the entity of which Ratzinger is the head is, before God, the Catholic Church.

Thus, even though he does not intend to deny the faith directly, by his actions the sedevacantist denies it “indirectly and implicitly.”⁴⁵

E. A Violation of Church Law

Decrees of the Holy See repeatedly forbade naming heretical or schismatic clergy in liturgical prayers.

Thus, a 1669 decree forbade a deacon to sing out the names of heretics in the liturgy,⁴⁶ and a 1673 decree forbade a priest to name the Patriarch of the Armenians (both a he-

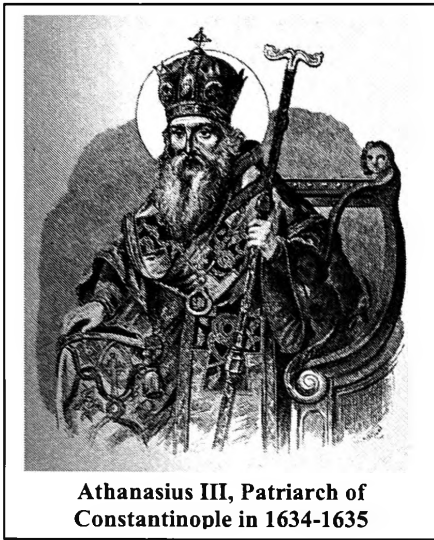
⁴⁴ “Reflections on Suspension *a Divinis*,” 29 July 1976.

⁴⁵ See Merkelbach 1:712. “indirecte et implicite.”

⁴⁶ SO Decree *Mesopotamia*, 28 August 1669, *Fontes* 4:740. “Se possa permettersi ai diaconi di proferire ad alta voce nell’Officio divino in chiesa i nomi di Dioscoro, Nestorio, Barsuma ed altri eresiarchi. - - R. Negative, facto verbo cum SSmo. Et Sanctitas Sua approbavit.”

retic and a schismatic) in the prayers of the Mass.⁴⁷

The general prohibition against naming heretics and schismatics is repeated in the 1756 Bull of Pope Benedict XIV already cited above:



Therefore where commemorations are customarily made in the sacred liturgy, the Roman Pontiff should be first commemorated, then one's own Bishop and Patriarch, provided they are Catholic. But **if either of both of them are schismatics or heretics they should by no means be commemorated.**⁴⁸

My personal favorite on ecumenical grounds is an account of a 1636 decree from the Sacred Congregation for the Propagation of the Faith.

The Congregation not merely forbade singing an acclamation for the schismatic Patriarchs of Constantinople, but added that since the Patriarchs were also heretics, they deserved to be cursed instead.⁴⁹

In any event, later authors, such as the theologian de la Taille, also speak of the general prohibition:

Hence were anyone to mention by name an infidel, a heretic, a schismatic, or an excommunicated person (whether a king, or a

⁴⁷ I. Szal, *Communication of Catholics with Schismatics*, CUA Canon Law Studies 264, (Washington: CUA 1948), 182-3.

⁴⁸ *Ex Quo*, ¶9, *Bullarium* 11:296. He quotes the first admonition from the earlier *Euchologium*: " - - 'Cum igitur in sacra Liturgia commemorationes fieri soleant, oportet primum quidem Romani Pontificis commemorationem agi, deinde proprii Episcopi, et Patriarchæ, dummodo Catholici sint. Quod si alter eorum, vel ambo sint schismatici, sive hæretici, eorum commemoratio nequaquam fiat'."

⁴⁹ Szal, 182. "The Sacred Congregation instructed the bishop to repel from his church the Greeks who sang these acclamations, if indeed he could effectively do so, for the Patriarchs of Constantinople were not only schismatics, but also heretics, and consequently were deserving rather of imprecation."

bishop, or any other) either in the prayer *Te igitur* or in our *commemoratio pro vivis*, he would certainly violate the law of the Church.⁵⁰

Please note that de la Taille explicitly says that naming a heretic in the *first* prayer of the Canon – the prayer we are discussing – is a violation of Church law. At an *una cum* Mass, the sedevacantist countenances this violation of Church law.

F. Participation in a Sin

More than that, de la Taille maintains that mentioning a heretic by name in any liturgical prayer is also a sin:

Moreover, since today neither in the *commemoratio pro vivis* nor in any other part of the Mass does the Church commend by name any living person except such a one as is considered to be in communion with her, **today it would also appear sinful to mention by name in any liturgical prayer whatever, an infidel, a heretic, a schismatic, or an excommunicated person.** This privation of the common suffrages of the Church is by no means confined to the *excommunicati vitandi* alone, as may be seen from the *Code of Canon Law* (can. 2262, parag. 1).⁵¹

Nor would it be morally permissible to *assist* at a rite where this is done. In a 1729 the Vatican Congregation for the Propagation of the Faith decreed:

- - There is hardly any rite among the heterodox that is not stained with some error in faith - - **especially where a commemora-**

⁵⁰ De la Taille 2:317. He adds in a footnote: “Though there are not a few teachers who think otherwise, through not paying sufficient attention to the force and meaning of our liturgical prayer.” De la Taille does not indicate who these authors are, or precisely what they would allow in the way of naming schismatics or heretics. From Szal (183), though, it seems that the most the *Holy See* occasionally tolerated was a prayer for a *lay* heretic or schismatic in his capacity as a head of state (King, President, etc.) – but never one for a heretical or schismatic cleric.

⁵¹ De la Taille 2:318.

tion is made of living Patriarchs and Bishops – schismatics and heretics – who are proclaimed *preachers of the Catholic faith*. For this reason, any Catholics who come together under circumstances like this to celebrate a rite of prayer and worship **cannot excuse themselves from the sin of evil common worship, or at least, from the sin of pernicious scandal.**⁵²

By actively assisting at an *una cum* Mass, the sedevacantist participates in this sin – one made all the worse because it is committed seconds before the Spotless Victim is brought down upon the altar.

G. Offering Mass with Ratzinger

When we discussed the various grammatical meanings possible for the *una cum* phrase,⁵³ we noted that the second meaning was an adverb modifying the phrase *we offer* – i.e., we offer the sacrifice *joined to* or *in union with* our Pope.

This is de la Taille’s understanding of the phrase, and he gives it as another part of his explanation as to why the names of heretics and schismatics are excluded from the prayer:

- - priests gradually became accustomed to commend no living person in these public suffrages of the Church, except such as could be reckoned among those with whom he was considered to be **offering the sacrifice**. - - [n]ote also the saying of St. Isidore: “The third prayer [which comes after the announcing of the names in the diptychs] is said **for the offerers...**” The same is also clear from the actual formula found in our own Roman Canon at the end of the prayer *Te igitur*, the first prayer of the Canon,

⁵² SC de Prop. Fide, Instruction (*Pro Mission. Orient.*), 1729, *Fontes* 7:4505. “Id ex eo etiam confirmatur magis quod vix ullus sit ritus apud heterodoxos qui aliquo errore in materia fidei non maculetur: - - vel denique commemoratio fit viventium Patriarcharum, et Episcoporum, schismaticorum, et hæreticorum, qui ut *fidei catholicæ prædicatores* commendatur. Qua de re, qui in ea ritus et orationis et cultus celebratione conveniunt in his facti circumstansiis catholici quique, reatu perversæ communicationis, aut saltem perniciosi scandali purgari non possunt.”

⁵³ See above, section I.A.1.

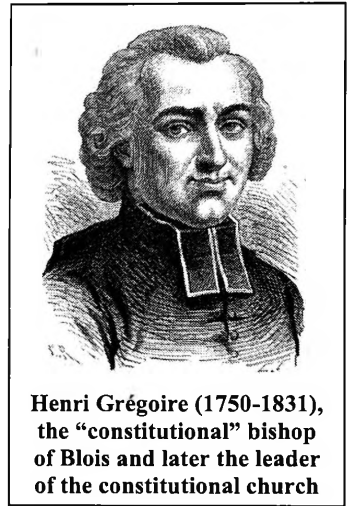
where the celebrant says: “**We offer** - - together with our Pope N., and our Bishop N. (and our King N.) and with all orthodox worshippers of the Catholic and apostolic faith.” - - [T]he custom was to mention no names in the list of the living, except of those who were **plainly united with the priest in the offering of the sacrifice.**⁵⁴

If therefore you actively participate in a Mass at which Ratzinger is named in the Canon, you are united to him as you participate in Sacrifice. It is as if the sly old heretic himself unexpectedly emerged from the sacristy in your local traditionalist chapel to offer Mass for you and to give you Holy Communion.

H. Recognition of a Usurper

In prohibiting common worship with heretics and schismatics, one of the Church’s motives was to deny recognition to those who had usurped or intruded themselves into Church offices.

Thus in 1791, after the revolutionary government of France established a schismatic Constitutional Church and appointed to diocesan sees and parishes bishops and priests of its choosing, Pope Pius VI forbade Catholics to assist at services conducted by these intruders:



Henri Grégoire (1750-1831), the “constitutional” bishop of Blois and later the leader of the constitutional church

Keep as far from you as possible all intrusion and schism. - - Above all, avoid and condemn the sacrilegious intruders. - - **Keep away from all intruders - - do not hold communion with them, especially in divine worship.**⁵⁵

⁵⁴ De la Taille 2:316-7.

⁵⁵ Pius VI, Encyclical *Charitas* (13 April 1791), ¶¶29, 31, 32, in *Fontes* 2:474. “Omnis a vobis invasionem, et schisma, quam longissime potestis, arcete. - - sacrilegos invasores vitetis, ac reprobetis. - - invasores omnes - - ita devitate, ut nihil cum illis sit vobis commune, præsertim in divinis - -”

In 1753, when the Holy Office issued a prohibition against common worship with Greek heretics and schismatics, the first reason given was “especially because they commemorate the Patriarch of Constantinople.”⁵⁶

In addition to the other dangers to the faith posed by worshipping with heretics and schismatics, Archbishop Francis Kenrick (Archbishop of Baltimore, 1851-1863) likewise pointed to the recognition of a usurper as another reason for avoiding such services:

It is not allowed to communicate *in divinis* with heretics or schismatics: - - all admit it is wrong whenever it carries with it - - the **recognition of a usurped office.**⁵⁷

By the fact that he assists at an *una cum* Mass, the sedevacantist recognizes as pope someone he would otherwise say is a usurper.

I. Sin of Scandal

Scandal is “any conduct that has at least the appearance of evil and that offers to a neighbor an occasion of spiritual ruin.”⁵⁸ Scandal may be either *direct* or *indirect*. Indirect scandal occurs when someone “performs an action which has the appearance of evil that is only a probable occasion of sin to one’s neighbor, such as bad example.”⁵⁹

The Church legislation that forbade Catholics to participate actively in worship with heretics and schismatics invariably mentioned scandal as one of the reasons for the prohibition. Heretics and schismatics would conclude that a

⁵⁶ Holy Office, Decree *Mission. Tenos In Peloponneseo* (10 May 1753), *Fontes* 4:804. “Non licere: maxime cum Patriarchæ Constantinopolitani commemoratio-nem faciant.”

⁵⁷ F. Kenrick, *Theologia Moralis* (Malines: Dessain 1861) 2:366. “Haud tamen licet in divinis cum hæreticis vel schismaticis communicare. - - fatentur omnes nefas esse, quandocumque falsi dogmatis professionem, vel muneris usurpati agnitionem secum fert: quod plerumque contingit.”

⁵⁸ McHugh and Callan, *Moral Theology* (New York: Wagner 1929) 1:1447.

⁵⁹ Merkelbach 2:960 “*Indirectum*, quando quis actionem ponit minus rectam quæ est solum probabilis occasio peccandi pro proximo, uti est pravum exemplum.”

Catholic who worshipped with them approved of their errors or rebellion.

Thus the Congregation for the Propagation of the Faith warned in 1729:

When they see Catholics go to their churches, assist at their rites, and participate in their sacraments, should not one believe (or at least fear) that from this fact alone they would be more greatly confirmed in their errors, and also be persuaded by this example that they are walking the straight path to salvation?

From this it follows that it is most difficult to avoid the danger of pernicious scandal to heretics and schismatics themselves. Wherefore, a Catholic cannot be safe in his conscience if he worships together with them this way.⁶⁰

In the case at hand, when a sedevacantist who is known as such assists actively at an *una cum* Mass, those present will assume either that he consents to naming Benedict XVI as a true pope, or that he regards the practice of doing so as morally indifferent. They can then draw the general conclusion that the identity of the Roman Pontiff (Is Ratzinger a true pope or not?) or (in the case of SSPX) actual subjection to him is a matter of no practical consequence to a Catholic. (“Not even a sedevacantist acts as if it meant anything!”)

Such, obviously, is an occasion of “spiritual ruin.”

J. The “Resistance” Clergy

The foregoing nine sections apply to all *una cum* Masses, no matter what auspices they are offered under.

However, *una cum* Masses offered by priests of the Society of St. Pius X, its affiliates, and many independent priests

⁶⁰ SC de Prop. Fide, Instruction (*Pro Mission. Orient.*), 1729, *Fontes* 7:4505. “Cum vero videant ad eorum ecclesias accedere, eorum ritibus interesse, de eorum Sacramentis participare catholicos, an non credendum, aut saltem timendum erit, ne ex hoc ipso magis in suis erroribus confirmentur, ac se in recto salutis tramite ambulare sibi etiam hoc exemplo persuadeant? Ex quo sequitur difficillime vitari posse periculum scandali perniciosi schismaticis, et hæreticis ipsis: ac proinde catholicum tutum in conscientia non esse, si cum iis in divinis in hac facti specie communicet.”

pose an additional problem. On the one hand, these priests affirm in the Canon and in public pronouncements that they recognize Ratzinger as a true pope; on the other, they conduct their sacramental ministry independent from and without any subjection to either Benedict XVI or the diocesan bishops in union with him. They speak of their “resistance” to the pope – and for this reason, we shall here refer to them as the “resistance” clergy.

On the face of it, of course, the resistance position is incoherent. But more than that, it contradicts one of the very reasons why the Church inserted the *una cum* clause into the Canon in the first place: to express the relationship that must exist between the Supreme Pontiff and those who exercise the sacramental ministry of the Church. As Cardinal Bona explained in his commentary on the *una cum*, “*The unity of the sacerdotal ministry descends from the throne of Peter.*”⁶¹

To be part of this ministry, a priest or bishop must have legitimate deputation (proper authorization) for *all* the sacraments he confers, because the sacraments belong to the Church. At the beginning of his five-volume treatise on the sacraments, Cappello explains:

Since the confection and administration of the sacraments is divinely committed to the ministry of the Church, it is self-evident that **sacraments can only be conferred by someone who has been legitimately deputed by that same Church.**⁶²

On the other hand, priests and bishops who *lack* this deputa-

⁶¹ G. Card. Bona, *Le Saint Sacrifice de la Messe* (Paris: Vivès 1855) 2:261. “c’est là en effet le pivot, le sceau de l’unité de l’Église. - - C’est là un signe d’union entre les membres et leur chef; car - - celui-là communie avec l’Église catholique qui communie avec le pape, et de la chaire de Pierre découle l’unité du ministère sacerdotal.” See also: Benedict XIV (P. Lambertini), *De Sacrosancto Missæ Sacrificio* (Prato: Aldina 1843) 3:79. “Postquam oravit Sacerdos pro Ecclesia Catholica, orat pro summo Pontifice: *Unitas enim sacerdotalis*, ut ait s. Cyprianus, *a Petri Cathedra exorta est.*”

⁶² *De Sacramentis* 1:49. “Cum sacramentorum confectio et administratio Ecclesiæ ministerio sit divinitus commissæ, sequitur manifeste, sacramenta conferri non posse nisi ab eo *qui sit legitime deputatus ab ipsa Ecclesia.*”

tion commit sin when they confer the sacraments. In the case of the Mass, moreover, their prayers have no efficacy, because they do not offer it *in the person of the Church*.

St. Thomas Aquinas says that, although priests separated from the unity of the Church validly consecrate the Eucharist:

they nevertheless do not do this rightly, but rather **sin when they do it**. They therefore do not receive the fruit of the sacrifice, which is a spiritual sacrifice. - -

- - the sacrifice is offered wrongly outside the Church. Hence **outside the Church there can be no spiritual sacrifice that is a true sacrifice with the truth of its fruit** - -

In the Mass, the priest pronounces the prayers **in the person of the Church**, in whose unity he remains. - - Consequently if a priest who is separated from the unity of the Church celebrates Mass, he consecrates Christ's true body and blood, because he has not lost the power of Holy Orders; but **because he is severed from the unity of the Church, his prayers have no efficacy**.⁶³

Please note the last statement: because a priest is severed from the unity of the Church, "*his prayers have no efficacy*."

Cappello sums up the point as regards the Mass:

Priests who are cut off the Church, although they validly sacrifice *in the name of Christ*, nevertheless **do not offer the sacrifice as ministers of the Church nor in the person of the Church**. For the priest has the power to pray, to intercede and to offer in the name of the Church by virtue of his commission from the Church, and with regard to this, the Church can deprive the

⁶³ *Summa* III.82.7, corpus, ad 1, et 3. "non tamen recte hoc faciunt, sed peccant facientes. Et ideo fructum sacrificii non percipiunt, quod est sacrificium spirituale. - - quod non recte extra Ecclesiam sacrificium offertur. Unde extra Ecclesiam non potest esse spirituale sacrificium, quod est verum veritate fructus, - - sacerdos in Missa in orationibus quidem loquitur in persona Ecclesiae, in cuius unitate consistit. - - Et ideo, si sacerdos ab unitate Ecclesiae praecisus Missam celebret, quia potestatem ordinis non amittit, consecrat verum corpus et sanguinem Christi, sed quia est ab Ecclesiae unitate separatus, orationes eius efficaciam non habent."

priest who is cut off from sacrificing in its name.⁶⁴

Apart from valid ordination, then, some commission from the Church is required if the priest is to offer Mass *in persona Ecclesiae* – in the person not only of Christ, but also *in the person of His Church*.

I have explained elsewhere at some length why sedevacantist clergy – who do not, of course, recognize Paul VI and his successors as true popes – enjoy a legitimate deputation and mission for the sacraments they confer.⁶⁵

But in light of all the foregoing, can a priest of the *resistance* persuasion (SSPX, its affiliates, and various independents) likewise claim to exercise his sacerdotal ministry “in the person of the Church” if he is not in fact subject to the man he regards as the Roman Pontiff?

Well, no – because once you plug the recognition of someone as pope into the standard principles of moral theology, dogmatic theology and canon law, the *una cum* Masses of resistance priests all come out as gravely illicit, if not schismatic.

1. Gravely Illicit Masses. The resisters have, over the years, recognized that they must offer some answer to the charge that they do not act *in persona Ecclesiae* in their sacramental ministry and that their ministrations are illicit as regards ecclesiastical law. In order to resolve the problem of legitimate deputation, the resisters therefore appealed to many of the same general canonical principles as sedevacantists do: epikeia, intrinsic cessation of law, obligation arising from reception of Holy Orders, and necessity (common need).

The most notable attempt to lay out these principles and make the case that they apply to SSPX and other resisters

⁶⁴ *De Sacramentis*, 1:547. “Sacerdotes præcisi, quamvis valide sacrificent *nomine Christi* tamen non offerunt sacrificium, ut *Ecclesiae ministri et in persona ipsius Ecclesiae*. Sacerdos enim habet ex commissione Ecclesiae, ut nomine eius oret, intercedat ac offerat, et, quoad hoc, potest Ecclesia privare sacerdotem præcisum, ne suo nomine sacrificet.”

⁶⁵ See A. Cekada, “Canon Law and Common Sense,” (1992, vol. I, p. 304-315) and “Traditional Priests, Legitimate Sacraments” (2003, pp. 129-139).

was a lengthy canonical study by “Hirpinus.” This was first published in the SSPX magazine *Courier de Rome*, and later reprinted in *The Remnant*, under the title “On the Doctrine of Necessity: Does the ‘State of Emergency’ Really Exist?”⁶⁶

However, such arguments, impressive and well documented though they may seem, are completely futile for one obvious reason. In canon law, the principles of *epikeia*, cessation, obligation of Orders, and necessity (common need) can only be invoked in the *absence of the legislator* and of the clergy to whom the legislator has committed the care of souls (*cura animarum*). And since the resistance clergy all *recognize* Ratzinger as pope, they necessarily recognize him as the Supreme Legislator as well.

So if there is a question about interpreting the “mind of the legislator” (for the resisters to invoke *epikeia*), the continued binding force of a law (to invoke cessation), priestly or episcopal duty (to interpret the obligations of Orders) or the need to supply for dereliction of duty on the part of clergy with the *cura animarum* (to invoke state of necessity, common need or “emergency”), all a resistant priest need do is contact Benedict XVI, his Supreme Legislator. Ratzinger will then interpret the law, determine whether it still binds, ascertain the resister’s obligation, and give orders to deal with the emergency. (For 911, dial B16...)

The appeal to general canonical principles for the legitimate deputation to confer sacraments, then, is closed to the “resistance” priest. Without such deputation, his Mass is gravely illicit – he does not offer it *in persona Ecclesiae* – and for that reason, a sedevacantist should not actively participate in it.

2. Sin of Schism. The second major problem for the resistance clergy is that acknowledging someone to be the pope while at the same time obstinately refusing to obey him is virtually the textbook definition of the sin of schism.

Moral theologians place schism among “sins against pub-

⁶⁶ *Remnant*, June-July 2004.

lic peace,” specifically, against the peace of the Church. Schismatics are:

those who refuse to be subject to the Supreme Pontiff (with rebellion, such that they obstinately refuse to obey his commands) and 2) those who refuse to be in communion with those who are subject to him (in doctrine, worship, sacraments). From this it is obvious that schism is a most grave sin and mortal *ex toto genere*.⁶⁷

That Ratzinger is not in *reality* a true pope does not excuse the resisters from schism. They profess he *is* a true pope and they resist him as such. Therein lies the malice of the act – just as a man who deliberately steps on an unconsecrated host, thinking it was consecrated, would be formally guilty of the sin of sacrilege.

Canonists such as Szal and Wernz-Vidal⁶⁸ flesh out bit more the teaching of moral theology on schism when they lay out four requirements for the ecclesiastical crime of schism. Although many independent *una cum* priests meet the criteria in varying degrees, SSPX does so exactly and nearly point-for-point. It is as if canonists in the 1920s and 1940s were granted prophetic visions of SSPX’s entire apostolate, and then wrote a *Schism for Dummies* guide for it.

This can be seen by quoting Szal’s criteria, and then interspersing some of the deeds of SSPX:

⁶⁷ Merkelbach 1:955. “Peccata contra pacem publicam. - - Paci ecclesiæ, *schisma* - - Et ideo schismatici dicuntur 1) (perfecte) qui subesse renuunt summo Pontifici (cum rebellione, ita ut obedire præceptis pertinaciter recusent), et 2) qui membris Ecclesiæ ei subjectis communicare recusant (in doctrina, cultu, sacramentis); ex quo patet esse peccatum gravissimum et mortale ex toto genere.”

⁶⁸ F. Wernz & P. Vidal, *Ius Canonicum* (Rome: Gregorian 1937) 7:398. “Ad constituendum delictum puri schismatis requiritur: I: ut quis aut directe sive expresse aut indirecte sive factis concludentibus ab obedientia Romani Pontificis recedat et a communione ecclesiastica ceterorum fidelium sese separet, licet separatæ sectæ schismati cæ sese non adiungat; – II. ut recessus coniunctus sit cum pertinencia sive rebellione; – III. ut recessus fiat quoad illa, quibus unitas Ecclesiæ constituitur; – IV. ut non obstante formali inobedientia et denegatione subordinationis schismaticus agnoscat illum Romanum Pontificem verum esse pastorem universalis Ecclesiæ et ex doctrina fidei ipsi obedientiam esse præstandum: - -”

Szal: “(1) One must withdraw directly (expressly) or indirectly (by means of one’s actions) from obedience to the Roman Pontiff, and separate oneself from ecclesiastical communion with the rest of the faithful, even though one does not join a separate schismatical sect;”⁶⁹

SSPX: Through word and action, it withdrew from any semblance of obedience to Paul VI and his successors, and it separated from communion with the diocesan bishops who represented them.

Szal: “(2) one’s withdrawal must be made with obstinacy and rebellion;”

SSPX: Decade after decade, it stubbornly ignored orders to cease violating ecclesiastical law, and it openly defied putative superiors, eventually characterizing them as “anti-Christ.”

Szal: “(3) the withdrawal must be made in relation to those things by which the unity of the Church is constituted;”

SSPX: It set up a world-wide apostolate, governed by its own superiors, laws and tribunals – an apostolate that is parallel to and independent from the hierarchy recognized by the Roman Pontiff, and that confers sacraments without reference to authorization from his duly-designated representatives.

Szal: “(4) despite this formal disobedience the schismatic must recognize the Roman Pontiff as the true pastor of the Church, and he must profess as an article of faith that obedience is due the Roman Pontiff.”

SSPX: At the same time, it has repeatedly claimed – indeed, *insisted* – that it recognizes Paul VI and his successors as legitimate popes and true pastors of the Church.

In 2002 Bishop Donald Sanborn concisely summed up the dilemma posed by Masses offered by SSPX and the other resis-

⁶⁹ Szal, 2. Only one, not both, of the two conditions mentioned – withdrawal from obedience to the pope or separation from communion with the rest of the faithful – is required for the delict. See canon 1325.2: “subesse renuit - - *aut* - - communicare recusat.”

tance clergy:

Thus the *una cum* Mass ends up as an objectively schismatic Mass no matter how you slice it:

(a) If, for the sake of argument, Benedict XVI **were the Pope**, the unauthorized [i.e., non-Motu, FSSP, etc.] traditional Mass is schismatic, since it is **not said in the person of the Church**.

(b) If Benedict XVI is **not the Pope**, then the *una cum* Mass is schismatic since it is **said in union with, under the auspices of, a false pope and a false church**.

In neither case does the priest have any business saying it.⁷⁰

The consequences for the sedevacantist who actively participates in *una cum* Masses offered by priests of the “resistance” persuasion should therefore be clear enough: he not only recognizes a *false* pope, but he also implicitly consents to the notion that it is permissible to refuse submission to a *true* pope – the essence of the sin of schism. And for these reasons, a sedevacantist should not assist at it.

IV. Objections and Responses

In the foregoing section, we have offered at least ten reasons why a sedevacantist should not participate actively in an *una cum* Mass – to wit, it constitutes a pernicious lie, profession of communion with heretics, recognition of the ecumenical church, implicit profession of a false religion, a violation of church law, participation in a sin, offering Mass with a heretic, recognizing a usurper, the sin of scandal, and (where “resistance” clergy are involved) participation in gravely illicit Masses and the sin of schism.

Some of these arguments have already been made elsewhere and prompted several objections, which we will now answer.

⁷⁰ “Vatican II, the Pope and SSPX: Questions and Answers,” *Most Holy Trinity Seminary Newsletter* (2002), 8.

A. Pope Martin V and Cardinal de Lugo

Objection: *The Constitution “Ad Evitanda” of Pope Martin V and the teaching of the theologian de Lugo permit Catholics in cases of necessity to assist at Mass with, and receive the sacraments from undeclared heretics and schismatics when a Catholic rite is used. The priests who offer “una cum” Masses have not been declared heretics and schismatics by the Church, and they use a Catholic rite. Therefore, a sedevacantist is permitted to assist at their Masses.*



Martin V, Pope in 1417-1431

The passage in *Ad Evitanda* (1418) that is cited to support the objection reads as follows:

- - no one henceforth shall be bound to abstain from communion with anyone in the administration or reception of the sacraments or in any other religious or non-religious acts whatsoever, - - on pretext of any **ecclesiastical sentence or censure** globally promulgated, whether by the law or by an individual; unless **the sentence or censure** in question has been specifically and expressly published or proclaimed by the judge on or against a definite person, college, university, church, community or place.⁷¹

But neither this passage nor de Lugo’s commentary on it defeat any of the arguments against *una cum* Masses made in section III.

⁷¹ Martin V, Constitution *Ad Evitanda*, *Fontes* 1:45. “- - quod nemo deinceps a communione alicuius in sacramentorum administratione, vel receptione, aut aliis quibuscumque divinis, vel extra; prætextu cuiuscumque sententiæ aut censuræ ecclesiasticæ, a iure vel ab homine generaliter promulgatæ, teneatur abstinere, - - Nisi sententia vel censura huiusmodi fuerit in vel contra personam, collegium, universitatem, ecclesiam, communitatem aut locum certum, vel certa, a iudice publicata vel denunciata specialiter et expresse.”

1. **An Irrelevant Principle.** Please note the words in the quote that we have highlighted in bold: “ecclesiastical sentence or censure - -” These refer either to judgments pronounced by an ecclesiastical court or censures such as excommunication.

None of our arguments against assisting at *una cum* Masses is based on the effects of ecclesiastical sentences or censures such as excommunication. On the face of it, therefore, *Ad Evitanda* is irrelevant to our discussion here.

This becomes even more evident from the historical context in which the document was issued.

Martin V promulgated *Ad Evitanda* at the Council of Constance (1414-1418) that ended the Great Western Schism (1378-1417), a turbulent period in church history with multiple claimants to the papacy.

Before *Ad Evitanda*, canon law forbade a Catholic to communicate in any way whatsoever – either in religious or secular matters – with someone who had been excommunicated. Those who violated this prohibition incurred a censure themselves, minor excommunication, which deprived them of the sacraments. Since the various papal claimants excommunicated each other’s followers, the prospect of incurring the minor excommunication caused great worry to the laity on all sides. *Ad Evitanda* removed this second censure, unless the person you communicated with had been officially declared excommunicated by an ecclesiastical judge.⁷²

As regards whether *Ad Evitanda* would still apply, the 1917 Code cites it not as a source for the prohibition against common worship with heretics and schismatics (canon 1258), but merely as a source for the prohibition against receiving sacraments from a clergyman who has been excommunicated *vitandus*⁷³ (canon 2261.3). It is ecclesiastical legislation on the first question (common worship with heretics and

⁷² J. Bancroft, *Communication in Religious Worship with Non-Catholics*, CUA Studies in Sacred Theology 75, (Washington: CUA 1943), 27-9.

⁷³ *Vitandus* = “to be avoided,” i.e., by fellow Catholics. This is the most severe degree of excommunication, and it is imposed on an offender only through a special decree from the Holy See.

schismatics), not the *second* (receiving sacraments from an excommunicated cleric), that we have used as the basis for some of our arguments in section III.

2. De Lugo's Requirements. Be that as it may, the Jesuit theologian de Lugo (1583-1660), among others, did indeed teach that the Constitution of Martin V allowed Catholics to receive sacraments from heretics who had not been declared excommunicated.

De Lugo added two conditions, however: (1) that the rite used by the heretics must be a Catholic rite and (2) that the participation by a Catholic would not be illicit for some other reason, such as scandal or implicit denial of the faith.⁷⁴

Scandal and implicit denial of the faith, of course, are some of the reasons explicitly adduced in section III *against* active participation in *una cum* Masses. Citing de Lugo, therefore, defeats the objection rather than supports it.



3. Rejected by the Holy Office. In any case, the Holy See later dismissed the liberal interpretation that de Lugo and others had given *Ad Evitanda* in the matter of common worship with non-Catholics.

In a 1753 pronouncement that quoted Pope Benedict XIV, the Holy Office stated that *Ad Evitanda* permitted Catholics

⁷⁴ J. de Lugo, *Disputationes Scholasticæ et Morales* (Paris: Vivès 1868) 2:86. "sed quæstio est de rebus sacris nullum errorem continentibus - - vel ipsi ritu catholico celebranti adesse, - - nisi aliunde sit scandalum vel irreverentia contra fidem, aut aliquid aliud - - et constat ex dicta *extravaganti*, - - cum ergo ii hæretici non sint excommunicati denunciati, nec notorii clerici percussores, non est cur ratione excommunicationis perhibeamur ab iis sacramenta suscipere; quamvis id aliunde possit sæpe illicitum esse - -"

to communicate “in merely *civil and secular* matters” with heretics who had not been expressly declared as such by name. However:

Catholics should **not therefore think that it is also permissible to participate** together with these same heretics **in acts of divine worship**.

The decree went on to name several theologians who had taught the opposite, including de Lugo, and stated finally:

In this matter it is **almost impossible for it to happen that Catholics who would join together in sacred worship with heretics and schismatics would be excused from sin**. For this reason, the Sacred Congregations of the Holy Office and of the Propagation of the Faith **always considered such communion illicit**.⁷⁵

Please note the strong language: it is “almost impossible - - to be excused from *sin*,” and the Holy See “always considered such communion *illicit*.”

For future appeals either to *Ad Evitanda* or to de Lugo on the question of *una cum* Masses, therefore, the 1753 decree is the final nail in the coffin.

B. No Official Declaration

Objection: *Anyone who has not been officially declared a heretic or a schismatic may still be mentioned by name in the Canon of the Mass. But Benedict XVI has not been officially declared a heretic or a schismatic. Therefore, Benedict XVI*

⁷⁵ Decree *Tenos*, *Fontes* 4:804. “Verum quamvis iuxta præsentem disciplinam inductam a Martino V in celebri Extravagant. *Ad evitanda*, de qua nonnulla inferius, liceat catholici cum hæreticis, modo non sint expresse et nominatim denunciati libere conversari, et cum iisdem communicare in rebus mere profanis et civilibus; non idcirco tamen arbitrari debent catholici, fas quoque sibi esse cum iisdem hæreticis consortium habere etiam in rebus sacris et divinis. - - idcirco fere impossibile est usuvenire, ut a flagitio excusari valeant catholici sese in rebus sacris cum hæreticis et schismaticis admiscentes. Quamobrem Sacræ Urbis Congregationes, Sancti Officii videlicet et de Propaganda Fide, illicitam semper reputarunt communionem, de qua est sermo.”

may still be mentioned by name in the Canon of the Mass. Therefore, a sedevacantist is permitted to assist at a Mass where his name is so mentioned.

(1) The hidden assumption behind the major premise is false. As we have seen above, de la Taille says:

This privation of the common suffrages of the Church is by no means confined to the *excommunicati vitandi* alone, as may be seen from the *Code of Canon Law* (can. 2262, parag. 1).⁷⁶

The various Vatican pronouncements quoted above, moreover, made no distinction between “declared” and “undeclared” heretics. The 1729 decree said that Catholics who participated in rites at which heretics and schismatics were commemorated “cannot excuse themselves from the sin of evil common worship.”⁷⁷ It did not then add that *no* sin occurred if “undeclared” heretics and schismatics were commemorated. Nor in 1756, when Pope Benedict XIV forbade commemorating schismatics and heretics in the sacred liturgy, did he limit the prohibition to “declared” heretics and schismatics.⁷⁸

(2) Nor by analogy does the major premise make any sense in light of the general rules of canon law and pastoral theology. These norms prohibit offering Mass publicly for a heretic or schismatic, period.⁷⁹ They do not limit the prohibition to one who has been “declared” a heretic – so you can put off planning that Requiem High Mass for your Methodist Uncle Wesley...

C. Prayed for as Material Pope Only

Objection: *According to the Thesis of Cassiciacum, Benedict XVI, because he is a heretic, is not pope “formally” (= he lacks*

⁷⁶ De la Taille 2:318.

⁷⁷ See above, III.F.

⁷⁸ See above, III.E.

⁷⁹ See N. Halligan, *The Administration of the Sacraments* (New York: Alba 1962), 134.

papal authority), but is pope “materially” (= he has only the legal designation to occupy the See). One may thus understand the prayer offered for him in the Canon of an *una cum* Mass as being for Benedict XVI as material pope only. Therefore, a sedevacantist is permitted to assist at a Mass where his name is so mentioned.

To say (as adherents of the Thesis of Cassciacum do) that Benedict XVI is “material pope only” means that he is in fact a *false* pope and *lacks papal authority* (the “form” of the papal office).

The various linguistic and theological meanings for the *una cum* in the Canon, however, can only be applied to a *true* pope who *possesses papal authority* – e.g., head of the Church, Vicar of Christ, Successor of Peter, principle of unity, visible pastor, etc.

None of these may be attributed to someone who *lacks* this authority, as according to the Thesis, Ratzinger does. Thus, the *una cum* prayer could not be understood to refer to a material pope only.

D. Can. 2261: Sacraments from Excommunicates

Objection: *For the sake of argument, let us assume the worst about the priests who offer “una cum” Masses – that the Motu clergy are heretics, the “resistance” clergy are schismatics, and that both groups are excommunicated. But according to canon 2261.2 the faithful may, for any just reason, ask for sacraments from an excommunicated cleric (provided he is not a “vitandus”), especially if other ministers are lacking, and the excommunicated cleric may administer the sacraments to them. Therefore, a sedevacantist is permitted to participate actively at an “una cum” Mass.*

(1) The appeal to canon 2261 (made in good faith, no doubt) is in fact an apples-and-oranges argument.

None of the arguments I have adduced against assisting at an *una cum* Mass are based on the notion that the clergy

who offer it have incurred the ecclesiastical censure of excommunication.

(2) Canon 2261, in any case, treats exclusively of the *reception of a sacrament*. It is indeed sometimes permissible to *receive* a sacrament (e.g., penance) not only from a priest who is an excommunicate, but also, under certain restricted conditions, even from a heretic or a schismatic.

(3) The issue of the reception of a sacrament, however, is distinct from the one I have addressed above: *active participation in common public worship*, specifically, the Mass.

In this case, as we noted in section II, the layman does not merely *receive* something (absolution, a sacramental character, etc.), but *actively participates* according to his state in offering up the Holy Sacrifice.

And therein lies the problem for a sedevacantist who would assist at an *una cum* Mass, for in so doing he participates in a pernicious lie, in communion with heretics, in the profession of a false religion, etc.

E. The Sunday Obligation

Objection: *Catholics are bound to assist at Mass on Sundays and Holy Days, unless excused for some legitimate reason. Naming a false pope in the Canon of the Mass is not a legitimate reason. Therefore, a sedevacantist is bound to assist at Mass on a Sunday or a Holy Day, even if a false pope is named in the Canon.*

As everyone knows, church law and moral theology admit various causes that excuse one from the Sunday Obligation.

We have already demonstrated that it is wrong to participate actively in rites at which the circumstances connote the profession of a false religion,⁸⁰ at which heretics or schismatics (whether declared or not) are proclaimed teachers of the Catholic faith,⁸¹ or at which usurpers are recognized as

⁸⁰ See above, III.D.

⁸¹ See above, III.F.

possessing legitimate authority,⁸² and that these conditions are present at an *una cum* Mass.

These (obviously) would fall under the heading of at least moderately serious reasons involving a “notable spiritual harm,” and according to the general principles of moral theology would thus excuse one from the obligation to assist at Mass.⁸³

F. Toleration of Evil for a Greater Good

Objection: *An evil may sometimes be tolerated for a greater good. Mentioning the name of Benedict XVI in the Canon is an evil, but assistance at Mass is a greater good. Therefore, one may tolerate the evil mentioning the name of Benedict XVI in order to assist at Mass.*

An evil may be tolerated only if it does not entail positing an intrinsically evil act.

In this case, however, we have already demonstrated that the sedevacantist who actively participates in an *una cum* Mass engages in an action that is a pernicious lie – one that “harms God in a matter concerning religion - - [a] mortal sin of its nature, due to the evil attached to it”⁸⁴ – that “signifies the profession of a false religion,”⁸⁵ that participates in a sin,⁸⁶ etc.

These are intrinsically evil acts. Hence, they could not be tolerated for a perceived greater good – even that of assisting at the Holy Sacrifice of the Mass.

G. The Priest Means Well

Objection: *A validly ordained “Motu” priest, an SSPX priest or an independent who puts Benedict XVI’s name in the Ca-*

⁸² See above, III.H.

⁸³ See Merkelbach 2:703. “quæcumque causa mediocriter gravis involvens notabile incommodum aut damnum, spirituale vel corporale, proprium vel alienum.”

⁸⁴ See above, III.A.

⁸⁵ See above, III.D.

⁸⁶ See above, III F.

non is usually acting in good conscience and means well. As regards the question of the pope, he does not know better. Therefore, a sedevacantist is permitted to assist at his Masses.

(1) The objection that the priest “means well” – Father does not advert to the objective import of what he is doing – is the argument from ignorance.

Such an argument is an implicit admission that the act the priest is performing is evil in itself: “Father [*does evil but we should excuse this evil because he*] means well...”

(2) In the foregoing sections, we have demonstrated what the *una cum* phrase means and why it is wrong for a sedevacantist to participate actively at an *una cum* Mass. All this has been based on objective principles that can be found in theology books.

The mental state of the celebrant – whether he is in good conscience, means well, does not know better, etc. – is irrelevant. It does not change what *una cum* means liturgically and theologically, nor can it negate the principles that make it wrong for a sedevacantist to assist at such a Mass.

For you, a sedevacantist, the issue is not whether the *priest* knows better. Spare Father the brain scan – *you* know better...

H. Secret Sedevacantists in SSPX

Objection: *Some priests who offer the traditional Mass under the auspices of SSPX are in fact secret sedevacantists and do not put the name of the false pope into the Canon. Such Masses are not “una cum” the false pope. Therefore, a sedevacantist is free to assist at such a Mass.*

Here, one thinks of the *libellatici* – the Christians during the Decian persecution (ca. 250) who did not *actually* offer the grain of incense to the gods, but who, in order to avoid persecution, gave the *impression* that they did by obtaining certificates of conformity (*libelli*).⁸⁷

⁸⁷ See J. Bridge, “Libellatici, Libelli,” in *Catholic Encyclopedia*, 9:211-2.

SSPX publicly recognizes Benedict XVI as a true pope and officially requires that its members pray for him as such in the Canon. SSPX chapels offer pamphlets that clearly enunciate this position, and in most cases, prominently display a photo of Benedict XVI in the vestibule.

This creates a public presumption that an SSPX priest adheres to the position of the organization to which he belongs, and accordingly, puts the name of the false pope into the Canon.

In my opinion, the only way for an SSPX priest to overcome the latter presumption is remove the photo of Ratzinger from the vestibule of his chapel, and announce at the beginning of every Mass that he is not putting Benedict XVI's name in the Canon.

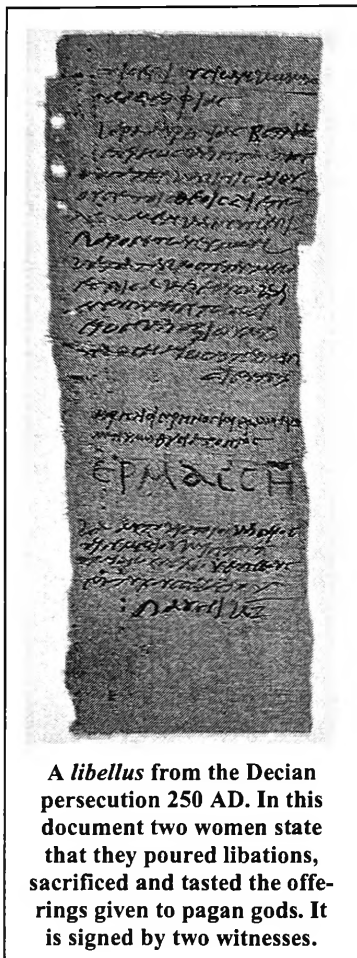
(Since a sudden reassignment will undoubtedly follow, he may also want to learn how to make that announcement in, say, Burmese...)

I. Conflicting Opinions among Priests

Objection: *Some priests who are sedevacantists themselves believe it is permissible for sedevacantists to participate actively in "una cum" Masses if no other Mass is available. Since there is a disagreement*

even among priests over the issue, there is a "doubt," and in doubtful matters, St. Augustine says, there is liberty. Therefore, a sedevacantist is free to assist at an "una cum" Mass.

These priests' conclusions are only as good as their reasons. The typical arguments usually go something like: (1) the



A libellus from the Decian persecution 250 AD. In this document two women state that they poured libations, sacrificed and tasted the offerings given to pagan gods. It is signed by two witnesses.

laity have nowhere else to go for Mass, (2) the priest who offers the *una cum* Mass means well, or (3) those present are not aware that the Mass is *una cum*.

My impression is that these are off-the-cuff arguments, rather than the result of any extensive research. And heaven knows, we priests all have an awful lot to do, and research consumes great quantities of time.

But since the issue necessarily involves very serious questions – the identity of the Roman Pontiff, participation in evil, communion with heretics, and potential violation of ecclesiastical laws, to name a few – off-the-cuff arguments simply aren't enough.

If a fellow sedevacantist priest does not find the evidence and conclusions presented here to be convincing, he should research the liturgical, historical, canonical and theological issues, and then systematically present his own arguments.

J. No Place for Mass

Objection: *The number of sedevacantist priests is relatively small, compared to the large number of “una cum” Masses (Motu, SSPX and independents). Your argument is logical, but if it were strictly applied in practice, many sedevacantists could only get to Mass occasionally with great difficulty, or would have no place at all to go to Mass. They would deprive themselves and their children of the graces of the Mass, and eventually lose the faith.*

The number of sedevacantist priests is relatively small – but it is far greater than even a decade ago and it is increasing, especially in the United States. These priests, one hopes, will be able to extend their apostolates bit by bit, just as priests ordained in my own generation did, when there was nearly *no one* – sedevacantist or otherwise – who offered the traditional Latin Mass.

As regards depriving yourself of the graces of the Mass, I will be blunt: there are none to be had for you at a Mass where you actively and knowingly participate in a sacrilegious lie.

And as regards your children, my experience tells me that one of two things will happen: either their faith will be corrupted (whether by Motu crypto-modernism or by SSPX's errors on the papacy) or their respect for the Catholic priesthood will be undermined (by your attempts to correct the errors that the clergy have tried to impart to them).

I have been a priest for more than three decades, and I have seen many families that were once solidly traditionalist surrender step by step to the new religion because of a decision to go to a "convenient" *una cum* Mass. Constant exposure to those who teach error – be it devout old Monsignor McGeezer at the Motu Mass, or the zealous Abbé du Fromage-Legrand at the SSPX chapel in Kalamazoo – slowly erodes your faith and all your good resolutions. It's only *one* error they teach, you figure, or it's only one phrase in their Mass that's bad – but this gets you ready to swallow a whole lot more.

And it is precisely for this reason that the Church – with her exquisite understanding of fallen human nature – repeatedly forbade Catholics to participate in a rite that would compromise their faith.

But even if such a danger were not present, the sedevacantist would still face the inevitable conclusion to be drawn from the weight of all the evidence presented above: active participation in an *una cum* Mass is intrinsically evil.

V. Summary and Conclusion

The question we began with was simple: Should a sedevacantist assist actively at an *una cum* Mass – a traditional Latin Mass offered by a validly-ordained priest who in the first prayer of the Canon recites the phrase: *together with Thy servant Benedict, our Pope*.

Though our question was simple, we covered quite a bit of ground to answer it, so here is a summary.

(I) The Meaning of the Prayer. What, first of all, does the prayer mean?

From the perspective of linguistic meaning, putting Ratzinger's name into the *una cum* in the Canon affirms not only that he is a true pope, but also that he is a member of the true Church.

The sedevacantist firmly rejects both propositions, especially because the canonists and theologians cited to support sedevacantism state that the loss of the pontificate in a heretical pope is produced by his *loss of membership in the Church*.

The standard theological meanings attached to the *una cum* produce still more problems for the sedevacantist.

These affirm that the heretic/false pope Ratzinger is head of the Church, Vicar of Christ, Successor of Peter, the principle of unity, and our authorized intermediary with Almighty God. The mention of the heretic's name is "proof of the orthodoxy" of those who offer the Mass, and a sign they "are not separated from communion with the universal Church."

Each and every one of those propositions a sedevacantist would consider a theological horror, if not near-blasphemous.

(II) Your Participation and Consent. A sedevacantist who assists at an *una cum* Mass cannot credibly maintain that he "withholds consent" from the odious phrase.

We enumerated at least nine ways in which a Catholic actively participates at a traditional Mass when it is celebrated. Each of these constitutes a true form of active participation, which in turn (according to the theologians we cited) constitutes "cooperation or common action with another in the prayers and functions of worship."

Various popes and pre-Vatican II theologians, moreover, taught that the laity who assist actively at Mass, in so doing, manifest their consent and moral cooperation with the priest as he offers the sacrifice.

Finally, in this section we demonstrated that Fathers of the Church, and indeed Pope Pius XII himself in the Encyclical *Mediator Dei*, teach specifically that the faithful who actively assist at Mass ratify, assent to and participate in the

prayers of the Canon that the priest recites, even though they do not vocally recite these prayers themselves.

From this it is clear beyond any doubt that the sedevacantist who actively assists at an *una cum* Mass consents to and morally cooperates with the action of the priest who proclaims that he offers the sacrifice *together with Thy servant Benedict, our Pope* – the arch-heretic and false pope Ratzinger.

(III) Why You Should Not Participate. Having established what the *una cum* means and how those present participate in its use, we then explained why a sedevacantist who actively participates at an *una cum* Mass:

- 1) Tells a pernicious lie.
- 2) Professes communion with heretics.
- 3) Recognizes as legitimate the Ecumenical, One-World Church.
- 4) Implicitly professes a false religion.
- 5) Condone a violation of Church law.
- 6) Participates in a sin.
- 7) Offers Mass in union with the heretic/false pope Ratzinger.
- 8) Recognizes the usurper of an ecclesiastical office.
- 9) Offers an occasion for the sin of scandal.
- 10) In the case of Masses offered by “resistance” clergy (SSPX, its affiliates and many independent clergy) participates in gravely illicit Masses and condones the sin of schism.

The answer to our simple question, then, is an equally simple no – a sedevacantist should *not* actively participate in an *una cum* Mass.

In light of the teachings of popes, theologians, canonists, moralists, and liturgists on the issues we have examined, the foregoing conclusion, in my opinion, is the only one possible.

The issue of how, in the absence of regular access to the Mass, sedevacantists can best maintain their faith, religious

practice and spiritual lives will be the topic of another article. The task is not impossible.

Naturally, faithful Catholics dearly love the Mass and cherish it as the principal means by which God will lead them to holiness. But the Holy Sacrifice will never bear fruit for us if we purchase it at the price of truth, faith, and holiness itself – at the price of a grain of incense offered to a heretic, a false pope and his false religion. For as Father Faber warned:

The crowning disloyalty to God is heresy. It is the sin of sins, the very loathsome of things which God looks down upon in this malignant world. Yet how little do we understand of its excessive hatefulness! - -

We look at it, and are calm. We touch it and do not shudder. We mix with it, and have no fear. **We see it touch holy things, and we have no sense of sacrilege - -**

Our charity is untruthful because it is not severe; and it is unpersuasive, because it is not truthful - - **Where there is no hatred of heresy, there is no holiness.**⁸⁸

⁸⁸ F. Faber, *The Precious Blood* (Baltimore: Murphy 1868), 352-3.

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THE NINE VS. LEFEBVRE: WE RESIST YOU TO YOUR FACE

The Story of Our Battle in Court with Abp.
Lefebvre and the Society of St. Pius X

Rev. Anthony Cekada

September 29, 2008

“St. Thomas, when he speaks of fraternal correction, alludes to St. Paul’s resistance to St. Peter and he makes the following comment: ‘... *We must realize, however, that if there was question of a danger for the faith, the superiors would have to be rebuked by their inferiors, even in public.*’ This is clear from the manner and reason for St. Paul’s acting as he did with regard to St. Peter, whose subject he was, in such a way, says the gloss of St. Augustine, ‘*that the very head of the Church showed to superiors that if they ever chanced to leave the straight and narrow path, they should accept to be corrected by their inferiors.*’”

- Archbishop Marcel Lefebvre

Reply to the question: “How do
you see obedience to the Pope?”

January 20, 1978

Non, je ne regrette rien. (No, I don’t regret a thing.)

- Edith Piaf

Twenty-five years ago, together with eight other American priests of the Society of St. Pius X (SSPX), I became involved in a lengthy battle with Archbishop Marcel Lefebvre (1905-1991), the Society’s founder and the prelate who ordained us.

The conflict between the archbishop and the Americans, usually referred to collectively as “The Nine,” became public after a meeting between the two sides on April 27, 1983, at Oyster Bay Cove, New York.

The group of priests consisted of Fathers Clarence Kelly (SSPX Northeast District Superior), Donald J. Sanborn

(SSPX Seminary Rector), Daniel L. Dolan (NE District Director of Missions), Anthony Cekada (NE District Bursar), William W. Jenkins (seminary professor), Joseph F. Collins (seminary professor), Eugene R. Berry, Thomas Zapp (newly ordained and teaching at St. Marys, Kansas), and Martin Skierka (newly ordained.)

What began as a theological dispute, however, soon became a protracted battle conducted in the U.S. civil court system. Abp. Lefebvre demanded that we turn over to him control of the churches and chapels where we offered Mass for our congregations. We refused. He sued, we sued back, and the two sides fought a four-year legal war that was finally settled only in 1987.

The eleven properties affected were located in the states of New York, Pennsylvania, Ohio, Michigan, Minnesota and Connecticut. With the exception of the seminary building in Ridgefield CT, the local congregations that we served contributed all the funds for the purchase and operation of these facilities. The overwhelming majority of lay members in each place supported our stand against Abp. Lefebvre and his organization.

In 2007 Bishop Richard N. Williamson published a collection of newsletters he wrote during this period, when he was the rector of the SSPX seminary in Ridgefield, Connecticut.¹ Naturally, his is the Society's "official history" of the legal struggle. It is the one that, in bits and pieces, has been passed on to several generations of SSPX priests, seminarians and laymen.

The Nine, this version goes, were sedevacantists (or at least secret sedevacantists) who rebelled against the authority of SSPX and its saintly archbishop-founder. They then used the U.S. court system to defraud the Society of several of its church properties in the Northeast and Midwest – all very, very wicked.

¹ *Letters from the Rector of St. Thomas Aquinas Seminary: Volume 1, The Ridgefield Letters: From "The Nine" to the Episcopal Consecrations (1983-1988)*, (Overland Park, KS: True Restoration Press 2007).

Those who repeat this account, though, never seem to notice that it reflects, if not hypocrisy, at least a double standard – one according to which the rightness or wrongness of a deed is judged by its conformity to the will of Abp. Lefebvre.

For instance, when Abp. Lefebvre says in effect to Paul VI or John Paul II, “We resist you to your face,” he is echoing St. Paul’s reproach to St. Peter, and he is the 20th century St. Athanasius. But when a priest says the same thing to Lefebvre, he is a rebel and an ingrate.

Or, when French traditionalist priests and laymen seize a church in 1978 that they did *not* pay for (St. Nicholas du Chardonnet) and turn it over to Abp. Lefebvre and SSPX, they are the heroes of the traditionalist resistance. But when American traditionalist priests and laymen hold onto the churches in 1983 that they *did* pay for and refuse to turn them over to Lefebvre and SSPX, they are conspirators, swindlers and thieves.

Because I was the person primarily responsible for coordinating our legal defense against the incursions of Abp. Lefebvre and the Society, I am generally portrayed as the chief villain in the affair, followed (at a close second) by Father Clarence Kelly.

Since Bp. Williamson published the Society’s side of the story, I decided to set down my own reflections on the conflict that unfolded a quarter-century ago. These, I hope, will offer some balance to the account that has made the rounds in SSPX circles for so many years.

1. Contributing Factors

Everyone who has heard of our legal battle with Abp. Lefebvre and SSPX knows that it arose from some sort of theological dispute. But long before this occurred and we wound up facing our former colleagues in court, there were at least four significant factors in place that would influence this course of events.

- 1) The belief of the older priests among the Nine that SSPX was simply a means to combat modernism, and that like other organizations after Vatican II, SSPX too could one day sell out.
- 2) The notably softer theological stand Abp. Lefebvre took towards “Rome” once his old enemy Montini (Paul VI) died in 1978, and once John Paul II charmed the archbishop into pursuing compromise through ongoing negotiations.
- 3) Confusion over the nature of SSPX as an organization.
- 4) Inconsistency in practices on property ownership.

a. The Mentality of the Nine

In my opinion, the principal factor that paved the way for the court battle was the “mentality” of the Nine, particularly that of its five older members: Fathers Kelly (ordained in 1973), Sanborn (1975), Dolan (1976), Jenkins (1978) and myself (1977).

Our personal histories were remarkably similar. We had been raised in the pre-Vatican II Church and then entered seminaries in different parts of the country, where we witnessed up close the disastrous effects of the Vatican II changes. We were all fighters who repeatedly battled with the modernists within our respective seminaries and orders before finally ending up with Abp. Lefebvre at his seminary in Ecône, Switzerland.

In my own case, this journey took ten years. Had Vatican II not occurred, I would have had no interest whatsoever in joining Abp. Lefebvre or his organization. I did not go to Ecône because I was attracted there by the “saintly archbishop” and the “spirit” of his society. I went only because I hated modernism, and I wanted to be a Catholic priest to fight this plague in all its many guises.

At one conference, in fact, Abp. Lefebvre admitted that this was probably the case for most of us; in normal times, he said, the majority of us would have chosen to be Jesuits,

Benedictines, Dominicans or diocesan priests, rather than members of SSPX.

Before Ecône, moreover, I had seen many other holy priests and prelates, together with institutions far more impressive and venerable than SSPX, surrender, sell out or enthusiastically go over to the enemy camp. If the “Iron Bishop” of Ecône would one day do so, well, it would not be a complete surprise, but I would not go along with him.

So, when we older priests were ordained and started organizing groups of faithful Catholics into traditional chapels throughout the United States in the 1970s, we did not look upon our apostolate as one of extending the work of Abp. Lefebvre and SSPX, or even of preserving “the Latin Mass.” For us, it was a work of combating heretics and providing valid sacraments.

From the beginning, we were up front about this with the faithful in any mission we founded. Typically the then-Father (now-Bishop) Dolan (who founded about 30 missions when he was in SSPX) would give an initial lecture to the Catholics who had invited him to come to a particular city. He would explain that the Conciliar Church was a false religion which taught heresy, that Paul VI was not a real pope, and that the sacraments conferred by the Conciliar Church were invalid in most cases. These were topics we repeatedly addressed from the pulpit.

For me and for other members of the Nine, Abp. Lefebvre and his association were like anything else in the Church: a means to an end – the defense of Catholic doctrine and the salvation of souls – not an end in themselves.

So, if the archbishop and his organization sold out to the enemy (as we had seen so many others do) they had no right to any loyalty from us.

b. New Weather in Rome

The second significant factor that would set the stage for our legal battle with the archbishop was the notable shift in his “line” after his old enemy Montini (Paul VI) died and was

eventually succeeded in 1978 by John Paul II, who received the archbishop warmly.

Although there is no question that Abp. Lefebvre was a convinced anti-liberal and anti-modernist, Mgr. Montini had been a personal enemy when the archbishop served in the Vatican diplomatic corps before Vatican II. Montini had also later taken the side of liberals in the French hierarchy against the archbishop.

This element, I think, added fuel to the fire once the controversy over the Ecône seminary started to heat up in 1974, and it led Abp. Lefebvre to take a much harder line in many of his pronouncements against “Rome” and Vatican II.

For us Americans, naturally, the archbishop’s fiery words were music to our ears when, during the Society’s early years (1974-1979), we either entered Ecône or began our apostolates as young priests. As a result, when various crises occurred that led to departures of liberals or soft-liners from the Society (the archbishop’s Declaration in 1974, the suppression in 1975, Paul VI’s consistory allocution and the archbishop’s suspension in 1976, the faculty revolt in 1977), the internal politics of the Society placed the American hard-liners solidly among those in the organization who were *bien vus*—in favor.

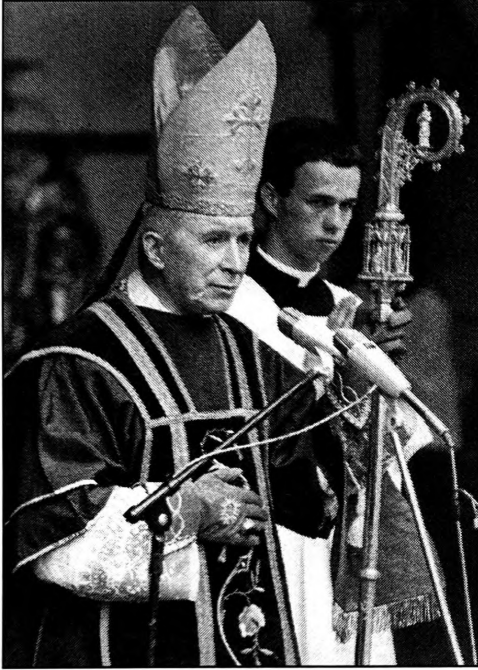
During these years too, the opinions expressed by Fr. Dolan that we mentioned in the previous section were not all that far from sentiments Abp. Lefebvre himself had expressed, or were merely a logical conclusion therefrom.

In 1974, for instance, the archbishop told the seminarians at Ecône that the problem with Vatican II was not just an erroneous *interpretation* of its teaching – rather, the Council *itself* taught errors. Now, Abp. Lefebvre, who held a Roman doctorate in theology and was a distinguished member of the hierarchy, knew the Catholic teaching that a true council convoked by a true pope could *not* teach error, so from his statement to the seminarians one would naturally conclude that Vatican II was a *false* council and Paul VI was a *false* pope.²

² Personal recollection of Bp. Dolan, who was a seminarian at Ecône from January 1973 to June 1976.

Other statements that Abp. Lefebvre made during this period favored the same conclusion – the position that in the 1980s would come to be known as “sedevacantism.”³

That such statements were in part bound up with the archbishop’s personal animus against Paul VI, of course, was not really apparent to us at the time. But it would



become so, once Paul VI died in August 1978.

After the election of John Paul II in October 1978, Abp. Lefebvre declared himself ready to “accept Vatican II read in the light of tradition.” On November 18, 1978, John Paul II warmly received the archbishop with a bear hug, and assured him that he himself would see to the resolution of the archbishop’s case.

In early 1979 this program was temporarily derailed when the matter was turned over instead to the Vatican Congregation for the Doctrine of the Faith. The archbishop had to submit to a rather insulting meeting at which the bishop who had suppressed the Society, Mgr. Mamie, was present, and during which one of the participants accused Abp. Lefebvre of “dividing the Church.”

³ For instance: “On the other hand, if it seems certain that the Faith taught by the Church for twenty centuries cannot contain error, we have far less certitude that the pope is truly pope. Heresy, schism, automatic excommunication, the invalidity of an election are causes which eventually make it happen that a pope was never pope or would be pope no longer. In such a case, obviously exceptional, the Church would find herself in a situation like that which she experiences after the death of a sovereign pontiff.” (*Le Figaro*, 2 August 1976.) For a collection of the archbishop’s pro *sede vacante* quotes, see John Daly’s article “Archbishop Lefebvre and Sedevacantism,” in *Four Marks*, October 2006.

Perhaps as a result of this, our stock had gone up slightly by August 1979 when a group of us American priests had dinner with the archbishop at Oyster Bay Cove NY. I was bold enough to ask him whether religious liberty was heretical and then hint about the effect that would have on the post-Vatican II popes. Abp. Lefebvre chuckled and said: "I do not say that the pope is not the pope, but I do not say either that one cannot say that the pope is not the pope."⁴

Naturally, this gave us hard-liners hope.

This was dashed three months later, when the archbishop did another flip-flop. On November 8, 1979 he issued "The New Mass and the Pope: The Official Position of the Society of St. Pius X." The archbishop repudiated the notion that Paul VI had been a heretic and therefore not a true pope (the term "sedevacantism" was not used yet), said the Society "absolutely refuses to enter into such reasonings" and added that the Society "cannot tolerate among its members those who refuse to pray for the Pope."

In May 1980, therefore, the archbishop visited the Oyster Bay Cove priory and kicked three of us out of the Society (Frs. Kelly, Dolan and myself). The next morning, for reasons unknown, the archbishop changed his mind: No, we didn't have to put John Paul II's name in the Canon after all, he said; and, if people asked what *his* position was on the pope, we had to tell them what it was, but we didn't have to accept it ourselves.

Though for a time we entertained a slim hope that the archbishop might one day come around to our position (especially if some Vatican official insulted him sufficiently), it became clear during the ensuing years (1981-1983) that he was pursuing the path of compromise and negotiation with the modernist heretics.

JP2's bear hug had worked its magic on the archbishop

⁴ "Je ne dis pas que le pape n'est pas pape, mais je ne dis pas non plus qu'on ne peut pas dire que le pape n'est pas pape." The sound of this phrase in French, moreover, is extremely amusing – a tongue twister something like "Peter Piper picked a pack of pickled peppers." The archbishop himself found this quite funny, as did all the priests at the table.

and changed the “weather” in Rome. But we wanted no part of it, or any union with modernists.

c. What Is SSPX, Anyway?

It would seem that there should be a clear answer to this question that anyone who belongs to SSPX should be able to give. But this, believe me, was not the case, and confusion on this point paved the way for the lawsuits.

After two years at the Ecône seminary, it was never really made clear to me *what* the SSPX was. There was a lot of talk about “the spirit of the Society” but nothing really about its essence, except that it had been “illegally suppressed.”

At a certain point in its history, the Society of St. Pius X started to promote the notion that it enjoyed the canonical status of a “society of the common life without vows” – an entity in canon law akin to a religious order. Familiar examples of such societies include the Maryknoll Fathers, the Paulist Fathers, and the Oratorians.

But this claim is, put charitably, more than somewhat fanciful. As I have demonstrated elsewhere, SSPX at its foundation was nothing more than a “pious association,” an entity in canon law that ranks lower than a lay Rosary Confraternity or the St. Vincent de Paul Society, and slightly above the Sacred Heart Auto League.⁵

I was never given a copy of the rules for this organization when I was a seminarian. Indeed, I was not even aware when I was at Ecône that such a document *existed*. I only came across a copy of the SSPX Statutes by accident when I moved to New York in 1979, two years after my ordination.

As a seminarian, I signed an “engagement” in the Society, a document which said only that “I give my name to the Society.” What obligations this entailed for the signer, beyond striving to be a holy priest, were not stated.

It was obvious to me that signing this document gave me

⁵ See “The Legal Status of the Society of St. Pius X and Its Former Members,” August 2006 (pp. 271-277).

no rights as a member of SSPX. It was even more obvious that Abp. Lefebvre and the other higher-ups did not believe that my act of signing up imposed any obligations at all on them towards *me*. Priest, seminarian or brother – any member of SSPX, I noticed, would be bounced out on a moment's notice with no appeal.

There were two versions of the SSPX Statues:

- The 1970 Statutes⁶ had received temporary approval from the Bishop of Fribourg for a period of six years, and therefore were the only version that one could argue had been canonically binding – for six years.
- The 1976 Statues⁷ (the ones I discovered by chance) were supposedly put together by a “General Chapter” held at Ecône in September 1976. These had *no* canonical force, because they had not been approved by anyone with even a *remote* claim to canonical authority.

Both texts are extremely short and were typed double-spaced: the 1970 Statutes were 12 pages long and the 1976 Statutes, 25 pages. They consist mostly of pious exhortations.

This I contrasted with my experience in a *real* religious order, the Cistercians. There, the obligations I assumed with my vows were absolutely clear – set forth in detail over hundreds of pages in the Rule of St. Benedict, the General Constitution of the Order, the Constitutions of the Congregation of Zirc, and other lesser statutes. So, too, were my rights as a member of the Order and the obligations of my superiors to respect those rights. As a Cistercian, I had two years of weekly classes on these topics.

⁶ “Projet des Statuts de la Fraternité des Apôtres de Jésus et Marie,” 17 June 1970, approved 1 November 1970 by Mgr. Charrière, Bishop of Lausanne, Geneva and Fribourg.

⁷ “Statutes of the Society of St. Pius X,” Christmas 1976. Engl. Trans. and pub. Oyster Bay Cove, NY: 1978.

The only conclusion possible for me was that SSPX was nothing more than a loose association of priests, seminarians and brothers with certain shared ideals. Because of the general disarray among Catholics after Vatican II, SSPX was organized and operated on an improvised and *ad hoc* basis.

If you disagreed with whatever Abp. Lefebvre's position happened to be on any topic on any given day, you were free to leave, and he was equally free to bounce you out. When it came right down to it, you had no obligations to him and he sure acted as if he had no obligations to you.

d. Shifting "Policies" on Property

Neither the 1970 nor the 1976 Statutes of SSPX contained any directions on how buildings used by SSPX priests were to be owned. Because SSPX started out as an organization officially recognized by a diocesan bishop and continued as such for the first five years of its existence, it was assumed that its priests would offer Mass in diocesan parishes at the invitation of local bishops or pastors. Thus the Statutes made no provisions for SSPX owning and operating a string of churches of its own independent from diocesan bishops.⁸

In the United States the policy (if any) on the ownership of buildings was inconsistent and subject to change. I am in a position to know all about this, because from 1977 onwards I was the Bursar (treasurer) for the seminary and for the Northeast District, so I was intimately involved in all corporate and financial issues.

Beginning in the 1970s, several religious corporations with lay majorities on their boards (denominated "Friends" of SSPX) were founded in the U.S. in order to hold title to the residences for SSPX priests and to the few tiny chapels where they offered Mass. Indeed for a long time the Ecône seminary was owned by an association consisting exclusive-

⁸ They did, however, allow for the occasional *Novus Ordo*-style "concelebration," as well as for a television in the recreation room. The latter provision was followed by the unforgettably appalling analogy: "Our true television is the tabernacle."

ly of laymen.

The purpose for keeping SSPX priests out of corporations altogether or for having a lay majority on a corporate board was to avoid a situation in which priests could be ordered to cede control of a property to the diocesan bishop, or even to "Rome" (i.e., to the man Abp. Lefebvre claimed to recognize as the pope.)

The American corporations had been organized along these lines by a lawyer on Long Island who had been a long-time supporter of Abp. Lefebvre. Although devout, the gentleman was not much of a corporate lawyer, and his incompetence led to some near-fatal tax difficulties with the IRS.

After we had encountered major problems with laymen who wanted to control the financial affairs of churches served by SSPX clergy (in Virginia, Florida, Texas and California), I proposed instead that SSPX priests *ex officio* control the corporations that owned the various churches in America. I wrote up model by-laws based on this idea and tried to implement a program of getting them adopted.

The lawyer who had set up the lay-majority "Friends" corporations, however, treated this as an encroachment on his turf and resisted.

But around 1980 Abp. Lefebvre (based perhaps on this lawyer's advice) indicated to us that Society priests were *not* to be involved in corporations that owned properties. So, we informed our congregations in Michigan, Iowa and Pennsylvania that wanted to buy churches that they would have to form lay corporations themselves and that we could not be involved.

Then in late 1982, the wind shifted again. Now, it was indicated, the SSPX superiors were supposed to control the corporations that held various properties. This change I associate with the election of Fr. Franz Schmidberger as Abp. Lefebvre's successor as head of SSPX.

So in early 1983, I received a visit from the Society's Bursar General, Father Bernard Fellay, who was *extremely* eager to see the changes in control of the corporations effected as quickly as possible. The Superior General should

in effect control *everything*.

But by this time, some major problems had already surfaced in the Society. I concluded that Fr. Fellay's visit was meant to ease the way for an imminent purge, which would of course include me. Once I perceived this, I did nothing further with the corporations, and left them with whatever by-laws and officers they had at the time.

In a word, Abp. Lefebvre *had* no consistent "policy" on the control of properties when I belonged to his organization. He shifted back and forth on this issue just as much as he did on everything else.

But even if Abp. Lefebvre and SSPX Statutes *had* laid down "rules" on church property ownership, none would have been binding anyway. The archbishop was a retired bishop who headed an organization that had no existence in canon law. Neither he nor his organization had any canonical authority to bind anyone to do anything.

2. The Theological Issues

Decades later, the myth still persists that the principal theological disagreement between Abp. Lefebvre and the Nine in 1983 was over "sedevacantism."

As such, though, this particular issue didn't come up at the beginning, and it certainly wasn't the one that provoked the dispute. Some of the Nine were sedevacantists at the time of the break and others weren't.

Instead, there were six serious problems in SSPX that coalesced to set the whole crisis in motion.

And looming vulture-like in the wings was the grim-faced Fr. Richard Williamson. The archbishop had appointed him as Vice Rector of the Ridgefield seminary and as a sort of theological commissar for America, charged with ferreting out any deviations from the archbishop's new party line.

Fr. Williamson was perfect for this role. As an adult convert after Vatican II, his only knowledge and experience of Catholicism came from Abp. Lefebvre and SSPX. Consequently, he was a total party line man; his principal point of

reference for resolving any issue was what Abp. Lefebvre thought about it. This can be seen in the newsletters and articles he produced during the dispute that would follow.⁹

My first encounter with Fr. Williamson after his appointment did not augur well. I was given the task of meeting him at our Staten Island chapel where he offered Mass immediately after his arrival from Europe. His Mass was so scandalous – raced through with total disregard for the rubrics – I couldn't bear to watch and waited outside.¹⁰

Fr. Williamson's method at the seminary was that of the classic *agent provocateur* – outrageous statements intended to elicit strong opposing reactions from seminarians who might show loyalty to any principle beyond the ever-changing "positions of the archbishop."

In a few weeks, St. Thomas Aquinas Seminary, which had been peaceful for five years under Fr. Sanborn was in a complete uproar. "Strife is normal in a seminary," Fr. Williamson assured the seminarians. Not until you arrived, Father.

Against this background in the spring of 1983, we (Frs. Kelly, Sanborn, Jenkins, Dolan and I) started to draft a letter to Abp. Lefebvre and the SSPX's "General Council"

⁹ One personal favorite: In "The Archbishop and the Nine" (*Angelus*, July 1983) Fr. Williamson says he has no doubts about the validity of the new ordination form in English and arrived at this conclusion as a result of consulting "three experienced and competent English-speaking theologians on these new English forms, and all three are agreed that both are valid, that neither of them admits of serious doubt." However, "if His Grace comes to a different conclusion, I shall be very inclined to follow him because he is a far better theologian than I am." A perfect example of the mentality of the brainless Lefebvrist – the gold standard for resolving any disputed theological issue is the "position of the archbishop" at the moment. Another favorite: Fr. Williamson's May 1986 seminary newsletter was accompanied by a statement from Abp. Lefebvre which said: "...perhaps we must say that the Pope is a heretic - - it is possible we may be obliged to believe this pope is not pope." (This, mind you, after the archbishop's statements in 1983 that sedevacantism was *schismatic*.) The following month, in his June newsletter, Fr. Williamson therefore decides to talk about *poetry*: you can almost hear him hold his breath as he waits for the "position of the archbishop" to flip-flop to "sedevacantism is *Catholic*," which position Fr. Williamson will then have to defend – probably by claiming that the archbishop always adhered to it.

¹⁰ But then again, no one was taught how to say Mass at Ecône anyway.

(Fr. Franz Schmidberger, and other SSPX higher-ups) that would set forth the salient issues. Four of the younger priests – Fathers Collins (ordained 1979), Berry (1980), Zapp (1982) and Skierka (1982) – had similar reservations about the course SSPX was taking, and were brought into the discussions.

On March 25, 1983, we agreed on the final version of the letter, signed it at Oyster Bay Cove, New York, and mailed it off. Here is a survey of the main points.

a. Doubtfully Ordained Priests

The Southwest District Superior, Father Hector L. Bolduc, had for years employed Father Philip Stark SJ to offer Mass in SSPX missions in his district. Fr. Stark, we discovered, had been ordained with the post-Vatican II ordination rite.

Now, Abp. Lefebvre himself had told us years before that the 1968 priestly ordination rite was of doubtful validity, and he had conditionally ordained at least two *Novus Ordo* priests who came to work with SSPX in the United States, Fathers Sullivan and Ringrose. When the facts of the Stark case initially came to light, we assumed that Abp. Lefebvre would follow this same course of action with Fr. Stark.¹¹

When this did not happen, in 1981 we published a study of the new ordination rite in our magazine, *The Roman Catholic*. The article, written by Fr. Jenkins and entitled “Purging the Priesthood in the Conciliar Church,” did not mention the Stark case directly, but his conclusion was clear: the new ordination rite was of doubtful validity, therefore the sacraments conferred by a priest so ordained were of doubtful validity, and therefore such a priest should seek conditional ordination.

This did not go down well with Fr. Bolduc. For his part, Fr. Stark made it very clear that he would refuse to submit

¹¹ Some Indian priests whose ordinations were doubtful had also functioned in the Southwest District, and two Old Catholic clergymen, chicken farmers from Arkansas, were installed at St. Marys for a while as the institution’s first resident clergy. The Stark case, however, was an ongoing problem.

to conditional ordination.

Abp. Lefebvre indicated that he wanted us to publish another article on the subject by Michael Davies – and Davies, of course, maintained that the new rite was valid. We published Davies' article together with a critique of it by Fr. Jenkins. This in turn led to another written exchange in *The Roman Catholic*.

The matter dragged on into 1982, by which time Abp. Lefebvre (we would later learn) was engaged in one of his periodic bouts of behind-the-scenes negotiations with "Rome." Had our objections to the validity of the new ordination rites become known to the modernists from whom he was seeking recognition, it would have been an embarrassing obstacle to "reconciliation."

So, instead of treating the issue of Fr. Stark's ordination as a serious threat to the validity of sacraments his organization was conferring, Abp. Lefebvre treated it merely as an annoyance and an internal political problem. In best diplomatic corps fashion, he sought to placate both sides, equivocate, delay, and avoid public disputes.

Fr. Stark, in the meantime, was traveling around the country offering Masses and conferring sacraments that were doubtful, if not invalid.

As an interim measure, we had taken to telling our parishioners who traveled in the Southwest that they should not frequent chapels where Fr. Stark was functioning.

Obviously, though, this could not go on for very long. One of the principal purposes of our apostolate was to provide faithful Catholics with valid sacraments. But Abp. Lefebvre himself was now sanctioning the conferral of doubtful or invalid sacraments under the aegis of SSPX, the organization to which we belonged. And he was doing so essentially out of base political considerations.

So, we resolved that we would confront Abp. Lefebvre on this issue again, but for the last time. Unless he required Fr. Stark to submit to conditional ordination and established that as policy for all priests like him who came to work with the Society, we were through with him.

b. The John XXIII (Bugnini) Missal

The evolution of liturgical practices in the Society of St. Pius X will one day make a fascinating topic for someone's doctoral dissertation. In the early days of Ecône, the "traditional Mass" celebrated there was a mish-mash of the 1962 John XXIII rite and the interim Paul VI modifications (1964-67), combined with things "the archbishop liked," "what one did in France," and an occasional dash of the pre-1955 practice.

How deceived we Americans felt we were, when we arrived at Ecône only to find a "modernized" Tridentine Mass! Psalm 42 dropped from the Prayers at the Foot of the Altar, the priest sitting at the side (as in the *Novus Ordo*), the Epistle and Gospel read at Low Mass from lecterns facing the people, and other innovations.

During this same period of time, some of the English-speakers in SSPX, notably the seminarian Daniel Dolan, took an interest in the history of the post-1955 liturgical changes. These were in large part, it turned out, the work of Fr. Annibale Bugnini, the creator of the 1969 *Novus Ordo* Mass. Bugnini was quite clear in stating that the slew of liturgical changes that began in the 1950s were "a bridge to the future" and part of the same process that would produce the New Mass.

When in the 1970s SSPX priests were ordained and returned to their respective countries, they followed the local practices there. In English-speaking countries and Germany, the pre-1955 Missal, Rubrics and Breviary were used. France, in principle, used the John XXIII books.

The liturgical issue came up at the SSPX "General Chapter" in 1976. There it was decided that Society priests should continue to follow the existing practice in their countries – a sensible enough rule. So, in our U.S. chapels and seminary, we followed the pre-1955 liturgical books and practices.

In the early 1980s, however, Abp. Lefebvre decided to impose the 1962 Missal and Breviary of John XXIII on everyone in SSPX. This again, we would later learn, was connected with the archbishop's "negotiations" with Ratzin-

ger and John Paul II. He was asking them for the right to use the 1962 Missal – the one whose use would later be prescribed for the Indult Mass, the Fraternity of St. Peter and for the Motu Mass authorized by Ratzinger (Benedict XVI) in July 2007.

In autumn of 1982, therefore, over the protests of Fr. Sanborn, the U.S. seminary Rector, Abp. Lefebvre imposed the use of the John XXIII Missal and Breviary on St. Thomas Aquinas Seminary, then located in Ridgefield CT. This did not go down well at all, with either the faculty or most of the seminarians.

The introduction of the 1962 liturgical changes at the seminary made it obvious that the rest of the priests in the Northeast would be the archbishop's next targets for "liturgical reform."

Now not even the head of a real religious order like the Cistercians has the power to impose new liturgical practices on members – and Abp. Lefebvre was nothing more than a retired bishop heading a priests' association that had no canonical existence. He had no right to dictate liturgical practices to anyone.

Apart from the legal issue, there was the principle itself. These liturgical reforms were the work of the Mason Bugnini. They were one stage in his program to destroy the Mass and replace it with the *Novus Ordo* assembly-supper. Knowing that, there was no way I and my fellow priests would use his Missal.

c. Summary Expulsions of Priests

In early 1983 Abp. Lefebvre threatened to expel Fr. Zapp from SSPX because he refused to follow the John XXIII reforms.

The archbishop's threat contradicted canon law and the tradition of the Church, which required that any bishop who ordained a priest had to insure that the priest had a "canonical title," that is, a permanent means of temporal sustenance. Even when a bishop ordained a priest *without* a true canonical title (as Abp. Lefebvre did), canon law obliged the bis-

hop and his successors to support the priest as long as he lived.

Abp. Lefebvre made a regular practice of threatening priests with expulsion or actually expelling them from the Society, and then making no provision whatsoever for their support. By 1983, this was part of the archbishop's standard operating procedure – cross him and you were out in the street with no appeal.

d. Usurpation of Magisterial Authority

Here the problem was that Abp. Lefebvre and SSPX acted as if they possessed magisterial authority. When it came to matters such as the validity of the New Mass or vacancy of the Holy See, the archbishop began to insist on imposing on members adherence to his positions *du jour*. This, again, was done with a view to cutting a deal with Ratzinger and John Paul II.

But merely external compliance was not enough. To this was added a requirement for *internal submission* to the SSPX party line. This was evident from a November 8, 1982 letter that Abp. Lefebvre's hand-picked successor, Fr. Franz Schmidberger, wrote to a young priest:

If you remain with our Society, you have to gradually clarify your inner viewpoint and have to return to the attitude of the Priestly Society, which seems to us to be the only right one, under the given circumstances, as a talk with theologians this past weekend has shown me again. Think about it seriously, because with this decision your temporal and so much more your eternal welfare is at stake to the highest degree. I will continue to pray for you for divine enlightenment and humble submission.

Return to the attitude of the Society? Your eternal welfare is at stake? Humble submission? For us, this was nuts. Only the Church has the right to require internal submission at the price of one's "eternal welfare" – not the canonical counterpart of the Sacred Heart Auto League.

We joined up to fight modernism, not submit to an alternate magisterium.

f. Loyalty to SSPX above All

This point was related to the foregoing. In practice Abp. Lefebvre and SSPX had begun to equate loyalty to themselves and their “positions” with loyalty to the Church.

Neither we nor the people we served had signed up for this either.

Thus, when people say sedevacantism was the cause of our dispute with SSPX, I respond that the *real* conflict was not over failing to recognize John Paul II as pope – it was failing to recognize *Abp. Lefebvre* as pope.

g. Accepting Phony Annulments

The foregoing five issues had been simmering for a while, until a sixth emerged that quickly caused everything to boil over.

A prominent layman in one of our missions, we learned, had been married, had that marriage annulled by the local modernist tribunal on grounds of “psychological immaturity,” and then remarried.

The annulment was bogus. Even in the 1980s, it was obvious to traditional Catholics that the post-Vatican II diocesan marriage tribunals were nothing more than divorce courts that handed out annulments on patently phony grounds. So we counseled the parties involved in the second marriage either to separate or to live as brother and sister.

In early 1983, however, we learned that one of them had written to Abp. Lefebvre, who had copies of their correspondence and his reply sent to us. The original letter did not mention the grounds for the annulment, and the archbishop did not even bother to ask what they were.

Instead, the Secretary General of SSPX, Fr. Patrice Laroche, wrote on the archbishop’s behalf:

On behalf of His Grace Archbishop Marcel Lefebvre I thank you for your letter of July 23, to which he has given due attention.

His Grace thinks that in spite of all, one should adhere to the decision taken by the Church. Although one may deplore that the Church declares marriages invalid too easily nowadays, we can-

not affirm in a special case, without any serious reason, that a declaration of invalidity is not valid. Thus you may go on receiving the sacraments and have a Christian family life.

The archbishop's meaning was absolutely clear: we priests were henceforth to treat each modernist annulment as valid until the contrary was proven.

Why would he lay down such a principle? His behind-the-scenes negotiations with Ratzinger. Abp. Lefebvre could hardly expect the modernist heretics to "recognize" SSPX if he himself did not recognize their marriage tribunals. So, the Iron Bishop put the indissolubility of sacramental marriages on the table as a bargaining chip in his grand diplomatic scheme for "reconciliation."

For us, this was the end.

After outlining all these problems in our March 25 letter, we proposed six practical resolutions for SSPX to adopt in order to resolve them – a scenario which, admittedly, would have been highly unlikely.

A few excerpts from the closing section of the letter will indicate to the reader, even after all these years, our firm resolve to stick to our guns:

- - there can be no excuse if we repeat the mistake of Catholics of the 'sixties. For them one can at least understand how they were led away from tradition into the new religion by a process of gradualism and servile submission. They were assured that they were being obedient children heeding the voice of their shepherds and the chief shepherd himself, the Pope. It was inconceivable that the Vicar of Christ would set the Church on a path that would result in the betrayal of tradition and the ruination of millions. And so Catholics submitted to the process. - -

For us, over twenty years later, with history before our eyes, there can be no excuse for accepting the first steps of the process of reform. Neither can we sanction practices which amount to a rejection of sacred traditions. We are fearful both for the future of the Society and the good of souls. - -

We are resolved to continue the work for which we were ordained and for which we have received the trust of the faithful.

This we intend to do in all tranquility even if the Society should abandon us or that trust.

In Jesu et Maria - -

On the day we signed the letter, the atmosphere was understandably tense, because we all knew what the consequences would be. To lighten things up, Fr. Kelly half-jokingly mentioned Franklin's warning to the signers of the Declaration of Independence: "We must all hang together, or certainly we'll all hang separately."

3. The April 1983 Break

Abp. Lefebvre had already been planning to make a tour of the U.S. in April 1983 in order to visit the Ridgefield seminary and then travel to the Southwest District to remove the Superior, Fr. Bolduc. Needless to say, purging Fr. Bolduc was temporarily deferred, and the question of "the Nine" moved to the top of the archbishop's agenda.

a. Fr. Sanborn's Removal

Abp. Lefebvre arrived at the seminary with Fr. Schmidberger. On April 24, 25 and 26, he gave conferences to the seminarians denouncing Fr. Sanborn and the rest of us, and laying down the party line.

I am occasionally asked whether I now think I should have done anything differently in 1983. My response is yes, I should have taken an

even *harder* line: had the locks changed on the Ridgefield seminary, sent Fr. Williamson packing, and kept Abp. Lefebvre out altogether. Our failure to do so left the archbishop



Archbishop Lefebvre with Fr. Franz Schmidberger, the Superior General of the SSPX in 1982-1994

with a base of operations to propagandize for doubtful priests, phony annulments and loyalty to him as a substitute pope.

Abp. Lefebvre, in any event, promptly removed Fr. Sanborn from his post as seminary rector, replacing him with Fr. Williamson. Fr. Sanborn was then to be sent to Ireland.¹²

The archbishop's plan was "divide and conquer." To this end, he sought to avoid a direct confrontation with Frs. Kelly, Dolan and myself by by-passing us for the time being, and then picking us off later one by one. Since we suspected this, we insisted that the archbishop meet with us to discuss the contents of the March 25 letter.

So, on the afternoon of April 27, 1983, Abp. Lefebvre, together with Frs. Schmidberger and Williamson, drove down from Ridgefield to Oyster Bay Cove, New York, the location of what was then the Northeast District headquarters.

b. The April 27 Meeting

We met with the archbishop in the downstairs conference room. We informed the archbishop that Fr. Kelly and I had been authorized by the other priests who signed the letter to speak for them. Frs. Dolan and Berry were also present.

Both Frs. Williamson and Berry took detailed notes, so even twenty-five years later one can get the flavor of what went on. I will mention only a few particulars here.

(1) **The Argument.** I passed out a list of the six resolutions contained in our letter, to which had been appended a seventh that would insure they would be enforced if adopted. I suggested it would be better to discuss these because they were all practical points.

Abp. Lefebvre began with a critique of Fr. Zapp for his refusal to use the John XXIII Missal.

I then tried to pin the archbishop down on the issue of conditional ordination for priests ordained in the new rite.

¹² More proof, by the way, that SSPX's claim to be like a religious order is a complete fraud. Religious could not be assigned to other provinces without their consent.

He began by trying to placate us, saying he was fundamentally in agreement, the situation was lamentable, it would be “better” if Fr. Stark would be re-ordained, etc.

But when I pressed him to give a clear answer, the archbishop said he would not make this a policy.

Discussion then turned back to the John XXIII liturgy. Abp. Lefebvre accused us of intolerance, and denied that at the 1976 “General Chapter” he had approved of the use of the pre-1955 Missal and Breviary. This was patently false, as is evident from the Minutes that the archbishop himself had signed.¹³

The archbishop then said we were stubborn on the liturgical question because we did not “think with the Society.”¹⁴

Fr. Kelly and I both pounced on this. The normal expression in Catholic theology is “think with the *Church*.” The archbishop’s little “Freudian slip” merely confirmed what we said in our letter: We were expected to submit to him and SSPX as a substitute Church.

Fr. Dolan asked him by what authority did he decide a liturgical question anyway – why not 1965 or 1968?

The archbishop said it was the “last valid papal legislation” (!) and “the faith” which decides. Translation: the archbishop himself determines for everyone which papal legislation is valid and when “the faith” is threatened.

Again, the archbishop and SSPX as substitute Church. *La foi, c’est moi...*

(2) **The End.** When we tried to move the discussion on to the third point, the archbishop noticed the seventh point on the list. This is one I drew up myself.¹⁵ It would have authorized

¹³ After dealing with liturgical practices for France and Ecône, the Minutes read: “In other districts and houses of formation, those liturgical books shall be used, and those rubrics observed, which have been preserved up to now in the traditional ceremonies by the faithful priests of Germany, England and America.” Minutes of the Meeting of the Principal Officers of the Society held at Ecône, September 13th and 14th, 1976, III.3.2.

¹⁴ He used the French term for the organization, “Fraternité.”

¹⁵ It was contained in part in the second resolution we proposed in the March 25 letter to the archbishop.

Fr. Kelly and me to draw up legal documents that would bind any corporations affiliated with SSPX to observe the resolutions adopted.

The seventh point was designed to prevent the archbishop from following his usual practice of diplomatically feigning agreement to something and then denying it later.

In other words, we were calling his bluff in advance.

The archbishop realized this and hit the roof. "Finished. Useless. Impose on Ecône your way of acting?... Aggressive spirit... accept number (7) of this sheet!?! Go and look for some other bishop... Cekada commands. We merely give the name... Take your liberty... Enough of discussing..." etc., etc.

Once this ended, it was clear that we had reached an impasse.

Fr. Schmidberger brought up the question of the various properties. He suggested we keep news of the disagreement quiet so as not to upset the faithful, and then meet through delegates to resolve any problems.

This is what we had intended to propose anyway. We informed the archbishop that at that point we still controlled the various corporations. He immediately threatened to sue us.

We proposed, instead, that their lawyer and our lawyer meet to discuss a legal settlement in order to avoid a mess.

They agreed, and we ended the meeting.

Fr. Kelly and I figured that eating together with the archbishop and the two fathers might bring down the temperature a bit, and perhaps allow both sides to figure out an amicable arrangement that might spare the faithful. So, we invited them to stay for dinner

The archbishop was willing to stay. But Fr. Williamson told Fr. Schmidberger in German: "I don't want to eat with such people," to which I couldn't resist adding in German: "Careful. You never know who speaks German!"

So, we kissed the archbishop's ring, thanked him (sincerely) for all he had done, and saw him off as he departed with the two fathers.

I've often thought since then that the lawsuit might have

been avoided entirely, if only the archbishop had stayed for the meatloaf.

Though the meeting that day had been emotionally wrenching, we left it still determined not to budge on the points raised in our letter.

When the archbishop arrived back at Ridgefield seminary, he immediately set to composing a circular letter denouncing us to the faithful. So much for his agreement to keep the matter quiet and try to resolve it peaceably.

The following day, April 28, the archbishop gave another conference to the seminarians. He was still furious about point (7), the one intended to keep him from wiggling out of an agreement.

Finally, an ironic note: In the letter he sent out denouncing the Nine as rebels, the archbishop cited a passage in the *Summa* as “the basis of the Society’s thinking and action in the painful crisis the Church is going through.” I looked it up only to discover St. Thomas saying “if the faith were endangered, a subject ought rebuke his prelate even publicly” and that superiors “should not disdain to be reproved by their subjects.”¹⁶

Apparently, the principle worked for the archbishop but not for us.

4. The Lawsuits

On May 1, the first Sunday after the meeting with the archbishop, we explained from the pulpits in all our chapels the points of dispute with Abp. Lefebvre and why we needed to take a hard line against what he was doing.

With few exceptions, the reaction of our parishioners was disappointment with the archbishop, and support for the stand that we priests were taking. So too, the two other priests working with us at the time, Frs. Roy Randolph and John Hesson.

A few days after the April 27 meeting, our lawyer contac-

¹⁶ *Summa Theol.* II-II:33.4 ad 2.

ted the archbishop's lawyer (the same man who had originally set up the lay "Friends" corporations) to sound him out on the possibility of a settlement. Our lawyer said he got the impression that the archbishop and his advisers were not seriously interested in negotiation; also, they seemed to think that winning in court would be quick and easy.

So, he said, expect to be sued. But he himself thought the litigation would very long and very messy, and that it would finally end in a negotiated settlement.

a. The Archbishop Files Suit

The legal battle began in the summer of 1983 when the archbishop and his organization filed suit against us in the U.S. District Court for the Eastern District of New York – the federal court system, in other words, rather than a state court system.

A plaintiff initiates a lawsuit by filing a document with the court called a "Complaint." In it a plaintiff is supposed to list his main claims against the defendant, together with their factual and legal basis.

The main claim the archbishop and SSPX made was that we were their agents and trustees. As such, we were responsible for acquiring and holding property in trust for them. We had now defrauded them of their property and were illegally occupying it.

"Real estate agent" was not, as I recall, one of the duties in the prescribed instruction the archbishop read to us during the ordination rite.

But in any event, as far as we were concerned, whether or not the civil law considered us agents or trustees, the archbishop now countenanced doubtful sacraments, and was imposing a crypto-modernist Missal in view of "corporate reunion" with the arch-heretic Wojtyla's ecumenical, One-World Church.¹⁷ For that reason Abp. Lefebvre forfeited any *moral* right whatsoever to the church properties he claimed,

¹⁷ "Quanta in uno facinore sunt crimina!" (St. Ambrose) That bear hug with JP2 – How many crimes there are in this one offense!

just as the diocesan bishops did in the '60s.

A traditionalist priest in the '60s was in no position to fight for his flock by doing legal battle with his bishop. But in 1983, thank God, we were – and we would.

b. Preparations for Further Suits

Since our lawyer feared the suit would be far too complicated for his small firm to handle, we hired a larger litigation firm in New York City that had experience in nonprofit corporation law. Fr. Kelly and I briefed the new attorneys on the facts of the case and on the material that my research on church property disputes had uncovered.

Fully expecting that we would also one day be sued in other states, I visited law firms in Michigan, Pennsylvania, Minnesota and Ohio to brief them about the case.

My discussion with an attorney in Cincinnati was particularly helpful. After a close examination of the Complaint our opponents had filed in New York, he discovered a fatal mistake that the archbishop's attorney had made.

This flaw, he said, will be your silver bullet. Keep it in reserve till right before trial in New York. Then use it to blow most of their case out of the water.

And indeed, four years later, he would turn out to be right.

c. A Realistic Goal

The question naturally arises: Why didn't we use the flaw mentioned in the preceding section to get the suit dismissed at the beginning?

It was a question of legal strategy. Our opponents were determined to pursue the suit no matter what, and would have just re-filed it another way. By waiting to ask for a dismissal, we would force them to go through years of pre-trial procedures, and then after it all, get the suit dismissed and force them back to square one in another court to face more of the same.

Having to think in such terms is, of course, regrettable. But

when you face an implacable opponent in our often-crazy legal system, you have no choice but to use all the weapons the system gives you.

Since the results of a complex case in an American court are notoriously unpredictable, one can rarely count on *total* victory. For the archbishop, I suppose, total victory would have been driving us all out into the street, as he regularly did with priests in Europe. For us, it would have been sending him and his fawning minions packing back to France with a *bon voyage*, but no *au revoir*.

In the real world, however, eighty to ninety percent of civil cases are in fact settled through negotiation between the parties. Usually, this takes place just as a case is about to go to a formal trial before a judge.

So, we went into the litigation knowing that, while *total* victory would have been great, the only realistic long-term goal for us was a negotiated settlement with our opponents. Naturally, this would have to preserve from the Lefebvre program as many of our congregations as possible. It would also probably involve some horse-trading of properties and other concessions. That's how the American system works.

But offering to negotiate with our opponents right after they had filed suit would have done nothing but confirm their unrealistic expectations. Abp. Lefebvre and his advisors seemed to think that they could roll right over us in court. They would have to learn a few lessons the hard way before coming around to the idea of negotiation.

We expected that this educational process would take a while, but since we were in possession of the properties and the faithful supported us, we were willing to wait. Indeed, as things developed, we all had no *choice* but to wait, because lawsuits in America proceed with all the speed of trench warfare fought by snails.

d. An Initial Victory

After filing a Complaint, the next step in many lawsuits is trying to get the judge to issue a Temporary Restraining

Order (TRO) against your opponent. This prevents him from changing the status quo of whatever is in dispute until after the final verdict of a full trial.

In August 1983, the archbishop's representatives tried to get a TRO against us. This would have frozen all church bank accounts and, in effect, shut down until after the trial all the churches we served.

We had a hearing on the matter before a judge. Thanks to an eloquent intervention by Fr. Kelly in which he ran verbal rings around the archbishop's hapless lawyer, the judge refused to issue the order.

So, for the balance of the litigation, we continued to run the various parishes just as before.

e. Discovery and Depositions

Then followed what is known as the "discovery" phase of the lawsuit. Each side gets to "discover" evidence the other side may have in its possession. This is accomplished by demands for documents, written answers to written questions ("interrogatories") and above all, by depositions.

At depositions, a witness for one side is required to give oral testimony in response to oral questions from the attorney for the other side. The witness testifies under oath, and the questions and answers are transcribed by a court reporter.

Discovery is the lengthiest phase of civil lawsuits, and the most expensive because of all the legal paperwork it entails. If nothing else, you at least discover where your lawyer makes most of his money...

We issued subpoenas for various SSPX officials, including Abp. Lefebvre, to give depositions. Despite the fact that he had launched the lawsuit, the archbishop balked at testifying at a deposition.

His lawyers fought the subpoena until the judge told them that either the archbishop showed up to give a deposition to our lawyers, or the suit would be dismissed.

So, the archbishop traveled back from Europe to give a deposition. We sat across the table from him as our lawyers

politely grilled him on the different charges in his complaint against us.

Too bad, of course – but he started the suit, and we had warned him beforehand that it would be a real mess. File a lawsuit against someone in America, and even if you're an archbishop, the defendant gets the right to take your deposition.

This would be the first of at least four depositions that Abp. Lefebvre would have to give in at least as many lawsuits, once the litigation spread to other states. Other SSPX officials would also give depositions.

Abp. Lefebvre's attorneys, of course, had the right to depose us as well. While Frs. Jenkins and Dolan gave relatively brief depositions, the main targets for extensive grilling on our side were Fr. Sanborn, Fr. Kelly and especially myself, because I had been closely involved with all the disputed corporations and kept the corporate records. At one point, I estimated that during the four years that the lawsuits had lasted, I had given thirty days of testimony, either in depositions or in trials.

f. The Lawsuits Multiply

Initiating or defending a complex lawsuit in the American court system is like waging war, and in our case, the battles inevitably spread to other fronts.

(1) **Philadelphia.** One disputed church property was St. Cyprian's Church in Eddystone, Pennsylvania, a suburb of Philadelphia. This was served by Fr. Hesson, and with one or two exceptions, the laity there supported our stand against the archbishop.

In October and November 1983, however, one of the "exceptions" apparently prevailed upon Fr. Williamson to demand the church keys from our lay coordinator and threaten a lawsuit in state court. Once it became certain that we were going to be sued for the Eddystone church no matter what, we filed suit in the Philadelphia federal court to meet

certain legal technicalities.

Here, SSPX countersued, making claims similar to those it made in the New York suit. To this, they added the claim that their organization was a hierarchy, and that the legal precedents in Pennsylvania required courts to defer to decisions made by a church hierarchy with respect to properties held by local churches that were subordinate to it.

Well again, this was news to me, because the Church I thought I belonged to had only one hierarchy, of which only the pope could be the head. A retired archbishop did not qualify as part of that hierarchy in my book – especially since my book was the Code of Canon Law, which placed his supposed “hierarchy” on a lower level than a lay Rosary Confraternity.

The Philadelphia case involved more discovery, more depositions, a trial (which we lost), and two appeals (which we also lost). SSPX eventually ended up with the church, but most of the parishioners (some of whom had testified against SSPX at trial) abandoned it.

While the outcome of the St. Cyprian’s case was a bitter disappointment to priests and parishioners alike, it affected only one property and congregation. As a precedent, it would not necessarily help SSPX in New York, because the legal criteria for church property disputes were different.

And it had an indirectly beneficial effect for us that our opponents had not foreseen: Since our New York attorneys were also involved in arguing in Philadelphia, this inevitably delayed the progress of the New York case, which was supposed to be the main event. And delay would eventually lead to a settlement.

(2) **A Libel Suit.** In autumn of 1983, the official publication of the SSPX Southwest District, *The Angelus*, published a number of libelous accusations against us (e.g. we had put churches “in our own names”), as did the traditionalist periodical *The Remnant*, which had allied itself with Abp. Lefebvre in the controversy.

We filed a libel action in Federal court against these enti-

ties and against the various SSPX officials involved, and had them all served with subpoenas at a reception they attended after a church dedication on Long Island.

Libel law in American is completely irrational. Though we thought we had a good case for libel on some of the statements, filing the case was another tactic to keep pressure on our opponents in the nasty legal war they had started.

Discovery and depositions for this suit creaked along. Our opponents filed a motion for summary judgment in their favor (judgment without an actual trial) on the grounds that all the statements were free expression of opinion – “freedom of speech,” protected by the First Amendment! The trial judge agreed, and granted their motion to dismiss.

We appealed, however, and the Court of Appeals overturned the trial judge’s findings on some of the statements, reinstated our case, and ordered it to proceed.

Ironically, the author of some of the disputed statements was Fr. Bolduc. We suspected that his vehemence in denouncing us was fueled by hope that, in so doing, he could escape the purge the archbishop had already scheduled for him.

But it was to no avail. The ax fell on him the next year. Fr. Schmidberger then published an attack on Fr. Bolduc in *The Angelus*.

(3) **Virginia Beach.** Here, we served a congregation in a chapel that was owned by a lay corporation.

One of the directors, serving as sort of a stalking horse for SSPX, filed suit against the rest of the directors to get us out of the chapel and bring Fr. Williamson in.

This led to more discovery and more delays for the New York case.

Eventually all the parties ended up in a low-level trial before a court commissioner. The commissioner eventually ruled in favor of the directors who wanted to keep our priests coming in.

(4) **The Connecticut Seminary.** Our priests were the majority on the board of directors of the corporation that owned

St. Thomas Aquinas Seminary in Ridgefield. We were therefore in a very strong position to evict the archbishop's supporters from the seminary property.

Obviously, this would be a powerful weapon to use against our opponents.

So, a year after the conflict began, we filed suit in state court in Connecticut for possession of the seminary property, and when Abp. Lefebvre stepped out of a car at the seminary on May 20, 1984, he was served with the subpoena.

At this, Fr. Williamson said, the archbishop had a "look of pain" on his face. To be sure – but no pain, it seems, over the doubtful priests and phony annulments that started it all.

Again, more discovery and more depositions followed.

And again, the law on church property disputes in Connecticut was slightly different from New York. Had we lost the New York case, we would have pursued the Connecticut case to the very end.

5. The Settlement

By the beginning of 1987, the lawsuits in the various jurisdictions had been dragging on for three and a half years. The first suit that the archbishop had filed in 1983 in Federal court in New York had still not come to trial. This was the main suit that our opponents had hoped would award them, in one fell swoop, all eleven properties in six different states.

Since 1983, the case had been assigned to another Federal judge in Brooklyn. He had a reputation as judicial liberal (= someone who interprets law "creatively") and as a "conciliator" who liked to work out settlements between warring parties.

Since all discovery (depositions and document exchanges) in the New York case had finally been completed, the judge set a date for the formal trial of the case.

It was at this point that we fired the silver bullet.

a. The Silver Bullet

(1) **Lack of Jurisdiction.** One fundamental rule in most legal systems provides that the court where you sue someone must have *jurisdiction over the defendant*. Jurisdiction is apportioned to courts by geographical territory.

In America, this means that a defendant in a suit can only be sued where he actually lives or where he somehow “does business.”

For instance, if you live in Ohio and someone wants to make a claim against you for your house in Cincinnati, he can’t file the suit in Brooklyn, haul you into court in Brooklyn and take away your house in Cincinnati. He has to sue you in *Ohio*, in the county where your property is located, and he usually must do this in *state* court, not Federal court.

The archbishop’s original lawyer had previously done most of his work in state court. He did not seem to be familiar with the finer points of Federal procedure, especially those dealing with jurisdiction.

So, when he filed suit against us in Brooklyn, he named as defendants five priests – Frs. Kelly, Sanborn, Dolan, Jenkins and myself – and demanded that the Federal court order us to turn over to the archbishop churches in New York, Pennsylvania, Connecticut, Ohio, Michigan and Minnesota.

This, our lawyer in Cincinnati noticed in 1983, ran afoul of the Federal court system’s rules on *jurisdiction*. The properties were owned not by the defendant priests but by *non-profit corporations*.

Five of these were out-of-state corporations that did no business in New York, and the disputed properties were *outside* New York. So, Federal court in Brooklyn could have no jurisdiction over them.

According to the Federal Rules of Civil Procedure, the Federal court in Brooklyn would be obliged to throw out any claims against the properties and corporations *outside* the State of New York.

(2) **Lack of Diversity.** When this happened, it would leave two *New York* corporations in the Federal suit.

But Federal court in Brooklyn could then have no juris-

diction over *these* either, because, though the disputed *properties* were within the jurisdiction of the court, both the *plaintiff* (SSPX) and the *defendants* (we priests) either resided or “did business” in New York, the same state.

Federal rules, however, require “diversity” between the parties. This means not that Christmas, Kwanza, Ramadan and the death of Custer must all be celebrated together, but rather that the plaintiff and the defendant must be from two different (diverse) states.

According to the Federal Rules, the judge would be obliged to throw out the remaining claims against the properties and corporations *within* the state of New York as well, and thus dismiss the whole suit.

Abp. Lefebvre and SSPX would then be forced to go into *state* courts in New York, Ohio, Pennsylvania, Michigan and Minnesota, file *new* suits according to the rules of each state, and begin again the whole process of taking depositions and discovery.

So, once the prospect of a trial in Brooklyn became imminent, we filed a lengthy motion to dismiss the Federal case in Brooklyn on these grounds.

This would indeed be the silver bullet that would break the impasse and ultimately force SSPX to a reasonable negotiated settlement with us.

b. Settlement Negotiations

The archbishop and SSPX, in the meantime, had acquired a much better lawyer. Once the motion landed on his desk, he recognized the threat it posed. He scrambled to file suit against us in New York state court as a backup, should the Federal suit get tossed out. This would at least allow him to continue the battle for control of the properties within New York State.

After the lawyers on both sides had submitted written arguments to the court, we went down to Brooklyn for a hearing before the judge.

It was a strange experience, as if the Federal court system

was now operating under its own version of the *Novus Ordo*. The judge wore a suit, rather than the black judicial robe, and instead of sitting on the bench to hear arguments, he descended to a large conference table, and bade us all sit around it.

The lawyers argued the motion back and forth. Instead of immediately granting the motion, the judge took it under advisement to decide later.

He then went “off the record” (told the court reporter to stop transcribing) and shifted into his “conciliator” mode, urging the parties to arrive at a negotiated settlement. He indicated to our opponents that our motion made strong arguments, and hinted that he might be inclined to grant it at some point. He then told us that, of course, *nothing* was certain in litigation, and who knows where a trial might lead. So, he said, both sides should consider settling the case at this point.

At the time, we were annoyed that the judge didn’t simply grant the motion. The jurisdictional question was obviously open and shut, and a judge is *paid* to make rulings, after all. Had the suit been thrown out of Federal court, we would have been in a very strong position indeed.

But our opponents, I suppose, were equally annoyed that the judge seemed inclined to grant the motion, and that he was using it as a hammer to force them to negotiate.

On the brighter side, at least the judge didn’t ask everyone sitting around the table to join hands or to do a group hug...

After some discussion, the judge offered to preside over the negotiations himself. We agreed to fix a mutually convenient date for the event.

The first settlement conference took place on July 4, 1987 in the judge’s chambers. Fr. Kelly, Fr. Sanborn and myself, as well as Fr. Schmidberger and Fr. Williamson, were present, together with lawyers for both sides and a court reporter.

One can only imagine the impression that our dour-faced European brethren got of American justice – it was a long

way from powdered wigs, majestic robes and starched cravats. Here sat a Federal judge, attired for the occasion in a polo shirt, with his feet casually propped up on the desk.

Again, there was much back-and-forth in front of the judge. This was interrupted several times when both parties went off to separate rooms in order to discuss various proposals privately.

Some matters were tentatively agreed upon, but another session would be required to work out the details, which were quite involved and complex.

On August 18, 1987, both sides attended a final settlement conference presided over by the judge. This one sealed the deal and ended the litigation.

c. SSPX Takes A Buy-Out

When all the horse-trading was over, SSPX got two properties that they already occupied (the Connecticut seminary and the Armada, MI facility) and two properties that we occupied (churches in Redford MI and St. Paul MN).¹⁸

We got six properties (Oyster Bay NY, East Meadow NY, Rochester NY, Clearfield PA, Williamsport PA, Cincinnati OH).

For the Redford and St. Paul churches we extracted a concession: SSPX would not get these for fifteen months. This would allow us to purchase new facilities for both congregations – and in the meanwhile, protect them from the doubtful sacraments and phony annulments that SSPX was now promoting.

In the event, this last provision worked out nicely, because both the churches we agreed to turn over to SSPX were in “declining neighborhoods.”¹⁹ The relocation allowed us to move to the suburbs.

The most interesting part of the settlement story is that

¹⁸ They had already gotten the Philadelphia property in a separate litigation, so that wasn't on the table.

¹⁹ By 1987 drug dealers were operating near one of the churches. At the other, an SSPX priest installed after the takeover was actually mugged.

Abp. Lefebvre and SSPX agreed to a \$350,000 buy-out from us.

As I recall, neither side mentioned it publicly to the faithful at the time. Both sides, I suppose, had motives for saying little or nothing about it. The handful of SSPX supporters in the affected chapels might have regarded it as a sellout (which it was, of course) and news of such a seeming windfall for SSPX could have taken the steam out of its fundraising campaign for the Winona seminary. Our people, on the other hand, might have regarded it as an expensive admission of defeat.

But after twenty-five years, the full story can be told: SSPX's representatives blundered into giving us a 40% rebate on the buy-out. They repeatedly mentioned their fear that we would mortgage the Redford and St. Paul properties to the hilt before turning them over to the Society; at the same time, SSPX seemed to be unaware that during the course of the litigation we had already *paid off* the mortgages on those two properties – something their lawyer could have found out merely by phoning the public records departments in Michigan and Minnesota.

Faced with their suspicious attitude, our lawyer (an *extremely* bright one, by the way, and worth every penny we paid him) offered them a reassuring concession: any mortgage outstanding when SSPX took over these churches would have *exactly* the same balance and terms as of the day of our break with the archbishop – no more, no less. This offer SSPX accepted.

Our “concession,” though, was one worthy of Tom Sawyer, because it actually worked in *our* favor. Since we had already paid off the mortgages on both properties, we could now *re-mortgage* them for around \$125,000 and \$20,000 respectively.

And the best part: just a few months after SSPX would take the churches over, both balances could come due *in full* as balloon payments, because these were the *exact* terms and conditions in force on the mortgages existing as of April 27, 1983. This was the Nine's little housewarming gift for the

Society.

So we ended up paying only \$205,000 on the overall settlement – a 40% reduction, and not a bad deal for six properties. I refrained from asking Fr. Williamson to throw in some Frequent Flyer miles...

All other suits were dropped. Moreover, if we used a variant of “St. Pius” as the name for any organization we would found, we would have to inform people at the beginning that we were “not affiliated with the Society of St. Pius X” – a mistake no one could have made by this time, to be sure!²⁰

Finally, it should be noted that Archbishop Lefebvre, and Frs. Schmidberger, Williamson and Roch all signed the settlement agreement on behalf of SSPX, releasing us from all other obligations “for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world [*sic!*] to October 26, 1987.”

Once SSPX did so and actually accepted money from us, the principles of Catholic moral theology on “condonation” require that SSPX and its supporters forever refrain from claiming that the Nine “stole” property from them. For the discounted price of \$205,000, we bought ’em out, fair and square.

6. Some Effects

Throughout our battle with Abp. Lefebvre and his organization from 1983 to 1987, despite inevitable distractions, we kept up our priestly apostolate just as before.

In May 1984, three more priests who had just been ordained in America by the archbishop, Fathers Thomas Mroczka, Denis McMahon and Daniel Ahern, likewise joined us. The Nine became the Twelve.

The eleven disputed properties affected by the lawsuits constituted only part of the missions where we offered Mass

²⁰ Despite the settlement, in January 1988 an SSPX supporter filed *another* suit against us in St. Paul. Though it was quashed by the New York judge, this idiotic escapade cost both sides money because lawyers had to file papers and go to hearings.

— more than 40 at one point. We continued to build or acquire churches and other institutions in various regions of the United States. The majority of the faithful in each of these missions continued their financial, moral and spiritual support as before.

There were also more lasting effects for both sides.

a. SSPX in America

- SSPX promptly installed foreign priests in all key organizational positions in the U.S.; only foreigners could be trusted to be loyal to the SSPX and suspicious of the local populace. Only in 2002 did SSPX find an American priest it considered sufficiently loyal to head the U.S. District.

But even a quarter century after the '83 dispute, no American has yet been found to serve as Rector of the SSPX seminary in Winona MN. Father (later Bishop) Williamson held the post for twenty years; the current occupant is a Frenchman, Fr. Yves LaRoux.²¹

- As a result of the '83 crisis, ordinands in SSPX seminaries must sign an oath declaring their loyalty to the Society's "positions" on the pope, the new sacraments, Vatican II, the John XXIII liturgy, etc.

One of the main points of our dispute with Archbishop Lefebvre, of course, was precisely that he placed loyalty to himself, his organization and his positions *du jour* above loyalty to the Church.²² As Fr. Sanborn pointed out in his 1984 article, "Crux of the Matter":

The ones the Archbishop considered his *true* followers were those who did not draw any conclusions from his sayings or actions, who did not seek an answer to the fundamental ques-

²¹ Finding a likely candidate for the position of an SSPX seminary rector is tricky in any case. He needs to have enough intelligence to be credible as an academic, but not so much intelligence as to recognize any theological principles beyond the party line of the Society at any given moment.

²² The fifth proposed resolution in our 25 March 1983 Letter: "5. The Society recognizes and accepts the principle that our loyalty to it is subordinate to loyalty to the Church and its traditions."

tion, who were neither hard-liners nor soft-liners, but only “Archbishop-liners.” [*though “flatliners” might be more accurate... – AC*] His Excellency always cultivated and favored this kind of seminarian, and surrounded himself with them when they were ordained. He would visibly spurn those who, either by word or deed, manifested an adherence to a principle which lay above and beyond the Archbishop, and to which the Archbishop himself was considered subject and responsible. - -

His attitude, one sensed, was, “Why come to Ecône if not to follow Monsignor Lefebvre?” I think he believed that the fundamental operating principle of Ecône was to follow Archbishop Lefebvre in his struggle to retain tradition.

- I have been repeatedly told over the years, that the rare American seminarian in SSPX who manifests tendencies towards independent theological reasoning is still swatted down with a hint that he may possess “the spirit of the Nine.” We are the boogey-men of the SSPX creation myth.

- As regards Mass centers, SSPX completely abandoned some areas to the Nine. In other areas where we already operated larger chapels, it took SSPX years to draw enough new followers to establish a small chapel of their own.

b. The Apostolate of the Nine

- For the Nine, one long-term effect of the dispute was to make us gun-shy about forming a tightly knit organization. Abp. Lefebvre had made his organization into a substitute church. We were fearful of repeating the same error ourselves.

This is one of the reasons why the successor organization that we formed, Society of St. Pius V, fell apart so quickly. Five years after the legal settlement, only three of the original Nine were still members of SSPV.²³

But those who lament this and look longingly at the SSPX empire do not see the dangers: a centralized organic entity like this can be subverted with one stroke of a pen and draw thousands of unsuspecting souls into the ecumenical One-

²³ Frs. Kelly, Jenkins and Skierka.

World Church. Exhibit A: On May 5, 1988, Abp. Lefebvre signed an agreement with Ratzinger that, even apart from the matter of recognizing JP2 as a true pope, accepted the teaching authority of Vatican II, the validity of the new sacraments, and the legitimacy of the 1983 Code of Canon Law.²⁴ The archbishop sold priests and laymen out to the false church of Vatican II on the *principles*, but reneged on the deal the next day only because he wanted the heretics to give him a better price²⁵ – the full thirty pieces of silver, as it were. His successors could indeed not only cut a deal like this, but also carry it out.

- Liberation from the dead hand of the Lefebvrist party line permitted us to research and publish articles on the great issues of our time – the pope, the heresies of Vatican II, the validity of the new sacraments, etc.

As of this writing, Bishop Sanborn and I have published enough articles on these topics to fill several books. Formerly, one had to fear the arrival of a “rocket” letter from Abp. Lefebvre, complaining of how an article or sermon would compromise his “negotiations” with “Rome.”²⁶

- With our departure from SSPX, of course, we had no means of forming seminarians and no bishop to whom we could turn for ordinations – obviously a major setback for the apostolate.

But this spurred us to investigate other possibilities. When Fr. Sanborn visited Bp. Antonio de Castro-Mayer in Campos,

²⁴ See “Protocol of Agreement between the Holy See and the Priestly Society of St. Pius X,” May 1988, <https://www.fssp.org/en/protocol-between-the-holy-see-and-the-priestly-society-of-st-pius-x/>

²⁵ Permission from the modernist heretic John Paul II to consecrate *three* bishops for SSPX instead of just the *one* agreed upon. His weaseling out of this agreement, by the way, illustrates why we put point (7) in front of him at our meeting with him on April 27, 1983.

²⁶ While we were still in SSPX and I was responsible for editing *The Roman Catholic*, we would amuse ourselves each month by trying to come up with a “hard line” quote from the archbishop to feature on the Contents page. This we sometimes referred to as “the quote from the Chairman” or “the Great Helmsman” – an allusion to the practice of writers in communist countries who began articles with a quote from Mao or Lenin because they feared being purged for “deviationism” when the party line inevitably changed.

the prelate suggested we go to Bp. Guérard des Lauriers, who had been consecrated in 1981 by Abp. Pierre-Martin Ngô-dinh-Thuc. We did extensive research into the issue of Abp. Thuc's consecrations and concluded they were valid. This in turn eventually led to the consecrations of Bishop Dolan (1993) and Bishop Sanborn (2002) and the foundation of Most Holy Trinity Seminary.

Frs. Kelly and Jenkins, for their part, initiated contact with Bishop Alfred Mendez via Natalie White, past contributor to *The Wanderer* and an old friend of the Jenkins family. This eventually led to Fr. Kelly's secret episcopal consecration by Bp. Mendez in 1993.²⁷

- Our departure also led to contacts or cooperation with other traditionalist clergy throughout the world: the Congregation of Mary Immaculate Queen (CMRI), Trento (Mexico), the Institute of Our Mother of Good Counsel (IMBC) (Italy), and priests in France, Belgium, Germany, Poland, Mexico and Argentina. This would not have been possible while we were in SSPX, where the "positions of the Society" regulated contact with outside clergy.

- Separation from SSPX allowed us to proselytize more actively for the preservation of the old, pre-1955 liturgical practices, as opposed to the 1962 Bugnini/Roncalli Missal which is the liturgical standard for both the SSPX and the Motu Mass authorized by Benedict XVI in 2007.

The faithful are now able to assist at solemn, or even pontifical celebrations of the old Holy Week rites in many places throughout the U.S.

As of this writing, moreover, the parish where I work, St. Gertrude the Great in West Chester OH, has just begun regularly broadcasting its Masses on the Internet.²⁸ This allows Catholics from all over the world to witness the celebration of the old liturgy first hand.

²⁷ The consecration was revealed only after Bishop Mendez' death in January 1995.

²⁸ <http://www.sgg.org/for-newcomers/mass-streaming/>

c. Sedevacantism in General

In France, the sedevacantist presence on the traditionalist scene is minuscule. *La Frat* (the Society) is everything, and even sedevacantists look to SSPX as their principal frame of reference.

In America, this is not the case. As noted above, the nine priests were not all sedevacantists at the time of their break with Abp. Lefebvre. All, however, eventually wound up adhering to the sedevacantist position in one form or another.

Had we abandoned our congregations and quietly slipped away, we would have left the field free for SSPX to foist invalid sacraments, phony annulments and its crypto-schismatic notion of papal authority on the entire U.S. traditionalist scene. But because we aggressively fought Abp. Lefebvre and SSPX in court, we were able to maintain continuity in our apostolates.

As a result, America has become a sedevacantist bastion. Between the Nine, the clergy subsequently affiliated with them and the CMRI, sedevacantists in America can count nearly 90 Mass centers (vs. 100 for SSPX), 16 schools (vs. 24) and three seminaries.

This is a source of encouragement for sedevacantists (read “Catholics”) elsewhere in the world. And it is one of the indirect but permanent effects that flowed from our legal battle with Abp. Lefebvre and SSPX.

* * * * *

Fighting a lawsuit, especially one that is long, costly and complicated, is a truly miserable occupation. St. Francis de Sales said it would qualify one for canonization (though one premature “saint” in this story is enough). It is especially dispiriting and distracting for a priest, because while the prayers of the Mass that he recites each day ask for peace, the very word “litigation” derives from the Latin word *lites* – strife.

This task was all the more unpleasant for us because we

had to fight Abp. Lefebvre, the bishop who ordained us, and a prelate with many outstanding qualities and indeed, great personal virtues.

But the archbishop's virtues did not confer upon him infallibility in judgment, immunity from criticism, or the right to an obedience that trumped the fundamental principles of moral and dogmatic theology.

It was the desire to be faithful to these principles that led us to Abp. Lefebvre as seminarians in the 1970s – and it was that same desire that led us away from him as priests in 1983. We had all seen other good priests and prelates surrender to the modernist program. For us, Abp. Lefebvre was one more disappointment to add to a very long list.

So, if for the sake of negotiating with heretics, the archbishop was willing to bargain away the validity of Holy Orders, the indissolubility of marriage and the integrity of the traditional liturgy, and if for the sake of integration into the false, ecumenical One-World Church, he was willing to “accept Vatican II in light of tradition,” he would do it without us. And indeed, as the affair of the lawsuits demonstrated, we would stand in his way and resist him publicly – “to his face,” as the phrase goes – when he tried to do it.

By signing the May 5, 1988 agreement with Ratzinger and John Paul II, Abp. Lefebvre sold out the Society and all its followers on the underlying *principles* for the traditionalist (read “Catholic”) resistance to Vatican II. From this it was but a short step to the likes of the Fraternity of St. Peter and Benedict XVI's *Motu Proprio* Masses, which, under the camouflage of “traditional Masses,” now lure unsuspecting Catholics to invalid sacraments, implicit acceptance of the *Novus Ordo* as a Catholic rite, acquiescence in the errors of Vatican II, and communion with an ecumenical church that paves the way for the anti-Christ.²⁹

All these things have come about as logical consequences of the theologically incoherent position that Abp. Lefebvre

²⁹ See also “The Motu Mass Trap” (pp. 392-402), “Absolutely Null and Utterly Void” (pp. 278-325), “The Grain of Incense” (pp. 403-459).

enunciated in the late 1970s. His Society has accepted them all in *principle*; the only thing now barring SSPX's full reintegration into the modernist establishment (apart from a fear of actually having to obey a pope whom they claim to recognize) is a few quibbles over some practical details.

If anything, the history of the Society of St. Pius X over the past twenty-five years demonstrates that we, the Nine, were correct in taking the stand that we did, when we did. Had we priests not fought Abp. Lefebvre in 1983, we would have fought him in 1988, though from a position far less advantageous for our people in the long run.

So, sad though it was for us priests to battle a virtuous prelate, sadder still would it have been for us to surrender on the principles – to abandon our flocks to the risk of invalid sacraments and eventual union with a church which the archbishop himself had said, “begins in heresy and ends in heresy.”

With such, there can be no compromise. And for fighting a battle over *that* with Abp. Lefebvre, *Non, je ne regrette rien* – No, I don't regret a thing.

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REV. ANTHONY CEKADA



Don't Get Me Started!
Collected Writings 1979-2019



VOL. III
WHATEVER
(2007-2019)

Rev. Anthony Cekada

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Vol. III
Whatever
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St. Gertrude the Great Roman Catholic Church
West Chester, OH
2021

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QUO PRIMUM: COULD A POPE CHANGE IT?

Rev. Anthony Cekada

May 17, 2007

QUESTION: *During a recent argument with a Novus Ordo friend, she told me that (according to her priest) popes can change whatever they want, as long as it is not dogmatic. We were discussing Quo Primum. I told her that it was forever, but she said that even if the pope said forever another pope can change it. What would you say to that?*

REPLY: On this point, she's right.

A (true) pope is the supreme legislator for ecclesiastical law and has the power to change ecclesiastical laws enacted by his predecessors. *Quo Primum* was an ecclesiastical law, and a true pope did indeed have the power to abrogate it or modify any of its provisions.

The forever clause was merely a type of legal boilerplate common in all sorts of papal legislation.

In the 1960s faithful Catholics seized upon this language as a justification for disobeying the new liturgical legislation while simultaneously recognizing Paul VI as a true pope. This was unfortunate, because anyone who knows a bit about canon law can refute the argument very easily.

The argument also obscures the *real* reason for adhering to the traditional Mass and rejecting the New Mass: The old rite is Catholic. The new rite is evil, inimical to Catholic doctrine (on the Real Presence, the priesthood, the nature of the Mass, etc.) and a sacrilege.

If you send me your postal address, though, I'll send you a consolation prize: some copies of a booklet I wrote, *Welcome to the Traditional Latin Mass*, that compares the old Mass and the New Mass.

Give a copy to your friend and tell her to give it to her priest. That should keep him busy for quite a while!

QUESTION: *So you are saying that a real pope can change a Papal Bull decree that another pope has made in perpetuity? Why would a pope decree something for all time, if another pope could change it?*

REPLY: If it was a *disciplinary* Bull (establishing a church law), yes, another pope could change it.

The language was simply a standard formula in church legislation that referred to one of the qualities a law is supposed to have: stability.

Frequent changes in laws harm the common good because people do not know how to act – hence, laws are supposed to be relatively stable. But a human legislator (unlike God) cannot foresee all future circumstances, so his successor has the power to change existing laws if he decides the circumstances warrant it.

This reflects a general principle in law: An equal does not have power over another equal. No pope who used perpetuity in his disciplinary decrees understood the term to mean that no future pope could ever amend or replace his legislation.

And popes did in fact change some of the provisions of *Quo Primum*, even before Vatican II. In 1604, for instance, Pope Clement VIII issued new regulations for the Blessing at Mass, and in 1634 Pope Urban VIII changed the wording of the Missals rubrics and hymn texts.

Traditionalists should stop using the *Quo Primum* argument. It's a canon law urban legend – as in “alligators in the sewers,” rather than Urban VIII!

THE “ERROR” OF POPE NICHOLAS I

Rev. Anthony Cekada

June 9, 2007

QUESTION: *I’ve been having a debate with someone about sedevacantism. To prove that the Pope taught error in an official document, my opponent pointed out the letter of Pope Nicholas I to the Bulgars (Dz 335), in which the Pope says that those baptized in the name of Christ are not to be re-baptized (see Ott, 353, and Summa III, Q66, A6.)*

Ott says it is an open question. St. Thomas in the body of the article seems to say that you need to use the explicit Trinitarian formula, while in the answers to the objections, he says the Apostles baptized in the name of Christ by a special inspiration.

Was Pope Nicholas in error?

RESPONSE: No. The theologian Pesch (*Prælectiones Dogmaticæ de Sacramentis* 1:389) reproduces the whole response of Pope Nicholas, and states that the pope **was not being asked about the form for baptism**, but about **the person of the minister**; and so he correctly responded that as regards the minister, all depended on his intention.

QUESTION: *My opponent also fired several statements at me, one of which was from Pope Adrian VI: “Many Roman Pontiffs were heretics, the last of them was John XXII.” Apart from not being able to find any Pope Adrian VI in any handy reference work, John XXII says himself that he never taught any such doctrine or even taught any such thing. Is the quote of Adrian genuine?*

RESPONSE: The supposed quote from Adrian VI has been floating around for years.

The only source I have seen cited for it is Paul-Marie Violet, *Papal Infallibility and the Syllabus*, (1908). During the reign of St. Pius X, this work was placed on the Index of For-

bidden Books. (Decree, 5 April 1906. See R. Naz, "Viollet, Paul-Marie," *Dict. Droit. Can.*, 7:1511)

I have never been able to locate Viollets book to check the primary source alleged for the quote.

QUESTION: *Thanks for your response on Adrian VI and on Nicholas I. I'm not satisfied with your citation from Pesch – that the Pope was referring to the person of the minister and to his intention – because the passage in Ott (353) is speaking of the form.*

RESPONSE: Ott is only a one-volume overview. It is unwise to rely upon Ott alone when discussing complex or disputed issues in the history of dogmatic theology.

Pesch was indeed correct. Other longer treatises on the sacraments say that the phrase in the response *in nomine Christi* did not refer to the form of baptism but to (a) a quality of the minister such as his intention (Doronzio, *de Baptismo*, 70; Pohl, *Sacraments* 1:224), or to (b) the distinction between the baptism of Christ and the baptism of John (Solà, *de Sacramentis*, ¶47-8).

All are agreed, however, that the response of Nicholas I was a **private** response – so it would not have any bearing on the *sede vacante* issue. The authorities we sedevacantists cite all refer to a pope who is a **public** heretic.

QUESTION: *Moreover, St. Thomas (III.66.6) is also treating of whether the form in the name of Christ is sufficient for validity, and Dz 335 reads: "if indeed they have been baptized in the name of the Holy Trinity or only in the name of Christ." (Here he speaks of either/or.)*

I don't want to be a pest, but I don't want to give an answer I can't defend. However at the bottom of my Denzinger-Hunermann, there is a footnote that goes with this passage (Dz.H. 646): "For the interpretation of this sentence, cf. O. Faller, 'Die Taufe im Namen Jesu bei Ambrosius': Festschrift 75 Jahre Stella Matutina I (Feldkirch/Vorarlberg 1931) 139-150; G. Barielle: DThC 2/I (1905) 184."

If you have the time and the access to any of this material could you see what they say about this issue?

RESPONSE: The last citation is to an article in the *Dictionnaire de Théologie Catholique* that discusses at great length the phrase in the name of Christ in the Fathers. The DTC's explanation of the passage in St. Ambrose cited in Nicolas I's response is in part as follows:

Sometimes in the Fathers, a question arises about baptism conferred in the name of the Lord or in the name of Christ. Such an expression does not permit one to believe that there existed a baptism conferred in the name of Jesus Christ alone, to the exclusion of the Father and the Holy Ghost. - - The passage that follows in the treatise clearly shows that St. Ambrose was **not speaking about the formula to be pronounced while conferring baptism**, but rather about the **faith in the Trinity required** [on the part of the adult recipient] for the validity of baptism. Baptême d'après les Pères Grecs et Latins, DTC 2:184.

Finally, SSPX-ers and those who hold a similar position inevitably point to cases of alleged papal errors (Honorius, Liberius, John XXII, etc.) in order to justify their contention that one may "recognize" someone as a true pope, yet simultaneously "resist" his teachings and laws. Catholic apologists, historians and theologians, however, have repeatedly – and I mean *repeatedly* – demonstrated that the allegations against these popes are false.

By continuing to circulate these allegations, SSPX-ers and the like put themselves in the theological company of the Gallicans, the Old Catholics and many other enemies of papal infallibility – not a great place to be for anyone who claims to defend Catholic tradition.

CAN AN EXCOMMUNICATED CARDINAL BE ELECTED POPE?

Rev. Anthony Cekada

June 25, 2007

QUESTION: *The Constitution of Pope Pius XII that establishes the rules for a papal conclave says the following:*

“34. No Cardinal, by pretext or reason of any excommunication, suspension, interdict or other ecclesiastical impediment whatsoever can be excluded in any way from the active and passive election of the Supreme Pontiff. Moreover, we suspend such censures for the effect only of this election, even though they shall remain otherwise in force.” (Cons. “Vacantis Apostolicæ Sedis,” 8 December 1945)

I have several questions about this:

*(1) What is the **Church’s** interpretation of this passage?*

*(2) Does it lift **all** excommunications, ecclesiastical impediments and censures for **all** the participants in a papal conclave? Does this also include the cardinal who has been **elected** pope, because that is what the term “passive” election seems to mean?*

(3) If so, the passage means an excommunicated cardinal can be validly elected pope. Doesn’t this shoot down the fundamental principle behind the entire sedevacantist case?

RESPONSE: Over the years, many traditionalist writers in the SSPX camp, such as Fr. Carl Pulvermacher, Michael Davies, Fr. Dominique Boulet, and the Dominicans of Avrillé – and even conservative writers such as Fr. Brian Harrison – have cited this passage as a definitive answer to sedevacantism. Pius XII explicitly suspended any excommunications, ecclesiastical impediments and censures *whatsoever* for whoever was elected pope, so (their argument goes) a heretic *could* be elected a true pope.

But is this a correct principle to draw from the passage? We will address the broader question first, that of interpretation.

I. INTERPRETATION OF LAW

Generally speaking, “interpretation” in canon law comes either from a public authority, such as the pope, his curia, etc. (this is called *authentic* interpretation) or from another recognized source, such as the teaching of canonists (and this is called *doctrinal* interpretation). (For a complete discussion, see Abbo and Hannon, 1:17.)

I have not been able to find a papal or curial pronouncement interpreting or explaining the passage in question. It appears with essentially the same wording in papal election legislation promulgated by Clement V (1317), Pius IV (1562), Gregory XV (1621), and Pius X (1904). So, its meaning must have seemed self-evident – at least to curial types.

Where there is no interpretation from a public authority – and this is frequently the case in canon law – you look to other passages in the Code and to the teaching of canonists (academic experts in canon law) to find out what the terms mean. By following this procedure, the meaning of the passage in Pius XII’s constitution becomes clear. So, we will now slog through the terminology.

(a) Censures. The “excommunication, suspension and interdict” that the pontiff mentioned are *censures* – punishments that ecclesiastical law inflicts on a wrongdoer to get him to repent. (For an overview, see Bouscaren, *Canon Law*, 815-6) Cardinals are exempt from incurring censures, except in cases where the law specifies otherwise. (Canon 2227.2)

In a papal conclave cardinal elector or a pope-elect who had nevertheless somehow incurred an excommunication would face some nearly insurmountable obstacles. The effects of this censure bar an excommunicate from administering or receiving sacraments, exercising jurisdiction, voting, appointing others to offices, and indeed, being elected to church office at all. (See Bouscaren, 831-4.) That would leave the pope-elect nothing but waving from the balcony and riding in the popemobile. (Not mentioned by Bouscaren...)

Censures are also sometimes called *medicinal* penalties because their purpose is to cure the wrongdoer’s stubborn-

ness. This distinguished them from *vindictive* penalties, which directly expiate a crime, independent of whether the wrong-doer repents. (Bouscaren, 846.)

(b) Ecclesiastical Impediments. The term “other ecclesiastical impediment” mentioned in Pius XII’s Constitution is a more generic category.

One such impediment, for example, is the vindictive penalty of *infamy* – loss of reputation due to some horrible crime. Among other things, this penalty renders the criminal ineligible for church offices, dignities, etc. (Bouscaren, 849)

This impediment, then, like excommunication, would bar a cardinal from either voting in a conclave or from being elected pope.

II. SUSPENSION OF CENSURES AND IMPEDIMENTS

Having established the meaning of these terms in paragraph 34 of Pius XII’s Constitution, we can easily see the point of the law: to avoid endless wrangling about the validity of papal elections.

It then becomes easy to answer the second question: “Does it lift *all* excommunications, ecclesiastical impediments and censures for *all* the participants in a papal conclave?”

The answer is yes.

Does paragraph 34 also cover the case of an excommunicated cardinal who has been *elected* pope?

Again, the answer is yes, because the Constitution used the terms *active* and *passive* election, which mean, respectively, being able *to vote* and being able *to be elected*. So it is indeed correct to say that Pius XII’s Constitution explicitly allows an excommunicated cardinal to be validly elected pope.

III. AN ARGUMENT AGAINST SEDEVACANTISM?

So now, the final question: “Doesn’t this shoot down fundamental principle behind the entire sedevacantist case?”

But here, the answer is no.

Most SSPX types, many sedevacantists, and even intelligent academics like Fr. Harrison assume that *excommunication* is the starting point for the sedevacantist argument, which they believe, goes something like this:

- Canon law imposes an automatic excommunication on a heretic.
- Excommunication prevents a cleric from voting to elect someone to office, being elected to office himself, or remaining in office once he has become a public heretic.
- Paul VI and his successors incurred this excommunication for public heresy.
- Therefore, they were not true popes.

Take away the possibility of excommunication with ¶34 of Pius XII's Constitution (the anti-sede argument goes), and the sedevacantist argument disappears.

But they misunderstand. Excommunication is a creation of *ecclesiastical* law, and it is *not* the starting point for the sedevacantist argument. In fact, it has nothing whatsoever to do with it.

Rather, for sedevacantism the starting point is another principle entirely: that *divine* law prevents a heretic from becoming a true pope (or remaining one, if a pope embraces heresy during the course of his pontificate.) This principle comes straight from those sections of major pre-Vatican II commentaries on the Code of Canon Law that deal with election to papal office and the qualities required in the person elected.

Here are a few quotes:

Heretics and schismatics are barred from the Supreme Pontificate **by the divine law itself** - - [T]hey **must certainly be regarded as excluded** from occupying the throne of the Apostolic See, which is the infallible teacher of the truth of the faith and the center of ecclesiastical unity. (Maroto, *Institutiones I.C.* 2: 784)

Appointment to the Office of the Primacy. 1. What is required **by divine law** for this appointment - - Also **required for validity** is that the one elected be a member of the Church; hence, **heretics and apostates** (at least public ones) **are excluded**. (Coronata, *Institutiones I.C.* 1:312)

All those who are not **impeded by divine law** or by an invalidating ecclesiastical law are validly eligible [to be elected pope]. Wherefore, a male who enjoys use of reason sufficient to accept election and exercise jurisdiction, and who is a true member of the Church can be validly elected, even though he be only a layman. Excluded as **incapable of valid election**, however, are all women, children who have not yet arrived at the age of discretion, those afflicted with habitual insanity, **heretics and schismatics**. (Wernz-Vidal, *Jus Can.* 2:415)

Thus heresy is not a mere “**ecclesiastical impediment**” or censure of the type that Pius XII enumerated and suspended in paragraph 34 of *Vacantis Apostolicæ Sedis*. It is instead an **impediment of divine law** which Pius XII did *not* suspend – and indeed *could* not have suspended, precisely because it is one of divine law.

IV. SUMMARY: APPLES AND ORANGES

Paragraph 34 of *Vacantis Apostolicæ Sedis* suspends the effects of censures (excommunication, suspension, interdict) and other ecclesiastical impediments (e.g., infamy of law) for cardinals who are electing a pope and for the cardinal they finally elect. Thus, a cardinal who had incurred an excommunication prior to his election as pope would nevertheless be validly elected.

This law concerns only impediments of **ecclesiastical law**, however. As such, it cannot be invoked as an argument against sedevacantism, which is based on the teaching of pre-Vatican II canonists that **heresy is an impediment of divine law** to receiving the papacy.

Anti-sedevacantist controversialists should therefore stop recycling arguments based on the passage in question. It has nothing to do with the position they oppose.

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SPLendor OF RAIMENT: THE BISHOP'S DRESS CODE

Rev. Anthony Cekada
July 4, 2007

QUESTION: *I recently came across a picture of Bishop Clarence Kelly wearing a stole over a purple shoulder cape with a black cassock underneath, and I remember seeing old photos of Bishop Francis Schuckardt dressed just the same way. Were they both correctly dressed?*

Also, I've seen newsletters from SSPX and several other traditionalist organizations that show their bishops offering Pontifical High Mass or conferring Holy Orders, but in some cases they don't seem to be wearing all the proper episcopal vestments either.

What gives? Am I just being too picky? Are some of the bishop's vestments optional? Or are they required?

RESPONSE: The vestments that a bishop is supposed to wear for any solemn liturgical function are all minutely regulated by the rubrics – the laws and norms that govern how the Sacred Liturgy must be performed.

According to these norms, Bishops Kelly and Schuckardt were indeed both dressed incorrectly, as were the other bishops depicted in the newsletters you sent along.

The rubrics for Low Mass do not leave me, a priest, free to omit wearing an amice or a maniple. So too, the rubrics for Pontifical High Mass and ordinations do not leave a bishop free to perform these functions without wearing all the prescribed vestments.

Since the rubrics that govern ceremonies celebrated by a bishop are highly detailed and complex, some traditionalist laymen, and even some clergymen, affect the attitude that such matters are trivial and not worth worrying about.

This, alas, betrays not only a contempt for a vast body of liturgical legislation developed over centuries, but also an ignorance of the spirit of the Sacred Liturgy. The Church's

ideal for public worship is not the rapid Low Mass, but rites that are conducted with as much solemnity and splendor as possible. The high point for this occurs when a bishop celebrates Pontifical High Mass.

Even non-Catholics acknowledge its singular beauty and significance. The English art critic John Ruskin (1819-1900) said that the apex of all Western Civilization was Pontifical High Mass in a Gothic cathedral.

Before turning to the specific “wardrobe malfunctions” of the traditionalist prelates depicted in the newsletters mentioned, I will define some terms, and then list the principal elements of correct dress prescribed for a bishop by the Church’s liturgical legislation (the *Cæremoniale Episcoporum* and Roman decrees) and approved commentaries.

I. What is Pontifical Mass?

The general term “Pontifical Mass” refers to a Mass celebrated by a bishop that follows special rubrics which add to the dignity and solemnity of the celebration. It is called “Pontifical” not because the rite is somehow connected with the pope, but rather because it is celebrated by a *pontifex* – the Latin term for a high priest, which the rubrics sometimes use to refer to a bishop or prelate.

There are two usual forms of Pontifical Mass properly speaking:

(1) **Pontifical High Mass:** The bishop is assisted by at least 18 ministers, including an Assistant Priest, Deacon and Subdeacon.

The first part of Pontifical High Mass takes place not at the altar, but at a chair in the sanctuary (either at a throne on the Gospel side or at a backless chair called a faldstool on the Epistle side). A special book called the *Canon Episcopale* takes the place of the altar cards used by a priest, a hand-candle (*bugia*) is held next to a book when a bishop reads from it, and there are five servers to handle the additional items required (book, hand-candle, miter, crozier and the gremiale, a small apron for protecting the bishop’s vestments).

The bishop is vested in his “pontificals,” that is, not only the usual vestments that a priest wears for celebrating Mass, but also additional vestments proper to his rank that in one way or another signify the fullness of the priesthood that he possesses.

(Readers can get some idea of the complexity of Pontifical High Mass by viewing the DVD of Bishop Dolan’s 1993 consecration to the episcopate.)

(2) Pontifical Low Mass: The bishop is assisted by one or two chaplains (who stand next to him at the altar), two acolytes, four torchbearers, and (if necessary) a Master of Ceremonies.

The rite is conducted at the altar, and for the most part, follows the rubrics for Low Mass celebrated by a simple priest. The *Canon Episcopale* and the hand-candle are used, and if one of the chaplains is a priest, he assists the bishop by performing some functions of a deacon.

In addition to the Mass vestments worn by a simple priest, the bishop wears a purple zucchetto (skull-cap), pectoral cross and his everyday ring. If a bishop confers Major Orders during Pontifical Low Mass, however, he is obliged to wear the same vestments as prescribed for Pontifical High Mass.

II. The Bishop’s Choir Dress

A bishop who is to celebrate Pontifical High Mass ceremonially recites the prayers of preparation for Mass and is solemnly vested for Mass by the deacon and subdeacon, either in the sacristy or in the sanctuary of the church itself.

For this, the bishop does not wear his usual black cassock trimmed with red. Rather, the rubrics assume that he arrives for the vesting ceremony wearing the more formal “choir habit,” which for a bishop consists of the following:

1. Purple choir cassock.
2. Purple choir cincture with two tassels.
3. Zuchetto. (Skullcap)

4. Rochet. (A knee-length garment of lace and linen with close-fitting sleeves trimmed in red. It is a sign of prelacy.)
5. Purple cape. (The mozzetta for an Ordinary, the mantelletta for other bishops.)
6. Pectoral cross on a green and gold cord.
7. Ring.
8. Purple socks. (Yes, purple socks!)
9. Roman clerical shoes with buckles.
10. Purple biretta.

In past ages, bishops wore this uniform all the time, until in 1870 Pius IX instituted a less cumbersome everyday uniform for bishops (called the *habitus pianum*). The Church nevertheless retained the more formal choir habit for solemn occasions.

III. Vestments Required for Pontifical Mass

Attired in his choir habit, the bishop reads the Psalms of Preparation, during which the Master of Ceremonies invests the bishop with the special footgear (items 1, 2). The bishop then recites several prayers that recount the symbolism of the vestments and has his hands washed. After this the Deacon, Subdeacon and Assistant Priest solemnly vest him with the rest of the items. Here is what is required:

1. Buskins. (Loose-fitting leggings in the liturgical color of the day that the Master of Ceremonies puts on the bishop's legs and then ties.)
2. Sandals. (Special fabric shoes, also in the color of the day, that the Master of Ceremonies puts on over the bishop's buskins.)
3. Amice.
4. Alb.
5. Cincture.
6. Pectoral cross on a green and gold cord. (Strength against enemies; the victories of the Cross and the martyrs.)

7. Tunic. (Made of light silk, the color of the day. This is the garment of a subdeacon, symbolizing joy.)
8. Dalmatic. (Also of light silk, and slightly shorter than the tunic. This is the garment of a deacon, symbolizing salvation and justice.)
9. Gloves. (Color of the day, embroidered with crosses. Acceptance of the Sacrifice)
10. Chasuble.
11. Miter. (Two types are used at the same Mass: a precious miter with jewels and gold embroidery that is worn in procession and for shorter periods of time during Mass, and a golden miter that is worn when the bishop sits for longer periods of time. Helmet of salvation against the snares of the enemy.)
12. Pontifical ring. (Sevenfold gift of the Holy Ghost.)
13. Crozier.
14. Maniple. (Put on in the sanctuary at the prayer *Indulgentiam*.)

The symbolism of some items is self-evident, but three in particular merit an additional comment:

(a) *Buskins and Sandals*. The bishop's feet are vested, according to the medieval liturgist Durandus, as an allusion to the verse that the liturgy applies to the Apostles themselves: "How beautiful are the feet of those who preach the Gospel of peace." (Nabuco, *Ius Pont.*, 179)

(b) *Tunic and Dalmatic*. Bishops at Pontifical Mass must wear the vestments of a subdeacon and deacon because in bishops, said the medieval liturgist Durandus, "the degrees of all the Major Orders are most eminently present." (Nabuco, *Ius Pont.*, 182)

(c) *Gloves*. The vesting prayer for the gloves contains an Old Testament allusion: Jacob covering his hands when he presented his offering to his father to obtain a blessing; the bishop prays that through his sacrifice he may likewise receive a blessing, that of divine grace.

Above and beyond the particular symbolism of each vestment, moreover, the vestments for Pontifical High Mass re-

present another truth when taken together. Unlike a simple priest vested for Mass, a bishop who pontificates is “covered” from head to foot, immersed, as it were, in the High Priesthood of Jesus Christ.

One bishop told me that, the first time he was being vested for Pontifical Mass, he felt like a lamb being dressed for slaughter.

IV. Some Dress Code Violations

Here are some of the more obvious dress code violations perpetrated by the various traditionalist bishops depicted in the newsletters I mentioned:

(a) **Not wearing the tunic and dalmatic to confer Major Orders.** “A bishop,” says the rubricist Nabuco “cannot confer sacred orders without pontifical vestments.” (*Pont. Rom. Exp.* 1:160)

Hence when a bishop must confer Major Orders (subdiaconate, diaconate, priesthood, episcopacy) but cannot celebrate Pontifical High Mass, he may celebrate Pontifical Low Mass, but he must wear *all* the pontifical vestments, including the pontifical tunic and dalmatic. (See Nabuco, *Pont. Rom. Exp.* 1:165; 1:261, 231)

When a bishop confers the sacred orders of subdiaconate, diaconate, priesthood or episcopacy, he is exercising the fullness of the priesthood. Omitting to wear all the vestments that symbolize his power is a glaring fault.

(b) **Not wearing the pontifical buskins and sandals.** Whenever he wears the pontifical gloves, a bishop is also required to wear this ceremonial footgear. Nabuco explains that the covering of the hands and feet is “correlative” and together they form “**one vestment.**” (*Ius Pont.*, 179)

No matter what rubrics a traditionalist bishop follows – Pius X, Pius XII or John XXIII – all three require a bishop to wear the buskins and sandals (1) whenever he celebrates Pontifical High Mass, and (2) even when he confers Major Orders (subdiaconate, diaconate, priesthood, episcopate) at Pontifical Low Mass.

The John XXIII rubrics allow the bishop to put the buskins and sandals on in his room. The old rubrics prescribe that the Master of Ceremonies puts them on the bishop as he recites the Prayers of Preparation in the sacristy.

Omitting the required footgear is a serious fault, moreover, because “all tradition bears witness that the use of such vestments in solemn Masses and other sacred functions is **most ancient**.” (Nabuco, *Ius Pont.*, 179)

(c) **Wearing gloves at the end of Pontifical Mass.** After the bishop has read the Offertory Verse and is seated, the deacon and subdeacon remove his gloves.

The bishop does not wear them again during Pontifical Mass, and “he must not put them on again after Communion.” (Le Vavas seur, *Fonctions Pont.*, 1:26; SRC Decr. 3213 ad 6)

The only exception was when the Ordinary of a Diocese granted the Apostolic Blessing and Indulgence from the throne after the Last Gospel. (SRC Decr. 3605 ad 9)

(d) **Wearing a stole over the mozzetta or mantelletta.** One of these two purple capes is a part of a bishop’s *choir habit* (see section II). It is common to see traditionalist bishops of various persuasions wearing stoles over their capes when they impose hands at an ordination conferred by another bishop.

Though it is widespread, the practice is completely incorrect: “The Sovereign Pontiff is the only Prelate who may wear a stole over his cape,” (Nainfa, *Costume of Prelates*, 231), and specifically, “A stole should never be worn over the mantelletta.” (McCloud, *Clerical Dress*, 97)

The underlying reason is that the choir habit is worn primarily for formal *assistance at the Divine Office*, while the stole is principally a liturgical vestment worn for *confering sacraments and bestowing blessings*.

At an ordination a prelate who is assisting in the sanctuary simply imposes hands while wearing his choir habit.

(e) **Combining the choir habit and the ordinary cassock.** This offense improperly combines two forms of clerical dress. It is as odd as a priest wearing a surplice over his cle-

rical suit.

It violates what liturgical books call “the rule of harmony” or “the law of equilibrium.” According to this rule, “the main parts of a Prelate’s costume should match one another in material as well as in color. For instance, a Bishop should not wear a purple mozzetta over a black cassock.” (Nainfa, 237)

So the suspicion of our correspondent was correct: Bishop Kelly and his nemesis were improperly attired.

But in the matter of two-tone habits and incorrectly worn stoles, these two prelates had plenty of company: Archbishop Lefebvre regularly wore this mismatched outfit when I was in SSPX in the 1970s, and the bishops he consecrated all seem to have continued this “tradition.”

* * * * *

As regards any traditional Catholic bishop, it is indeed “now the brightness of souls rather than splendor of raiment that commends the pontifical glory unto us,” as the Preface for the Rite of Episcopal Consecration so eloquently proclaims.

That said, however, the Church herself established and minutely regulated a complex system of visible, material signs that point to the invisible, spiritual realities of a bishop’s powers. Those few real bishops who now possess these powers should be meticulous in learning and applying the rules that the Church’s law and traditions impose upon them when they exercise the fullness of their priesthood.

On this point, the bishops would do well, perhaps, to ponder the words of St. Teresa of Avila:

Know this: It is by very little breaches of regularity that the devil succeeds in introducing the greatest abuses. May you never end up saying: This is nothing, this is an exaggeration. (*Foundations*, 29)

Today, in liturgy as in theology, a casual or even contemptuous attitude towards the rules prevails in many traditio-

nalist circles. It is often, alas, the product of ignorance, laziness or pride.

It is true that we faithful Catholics are far from the day when we could everywhere perform the Sacred Liturgy with the splendor that it truly deserves. But that may well be because most of us are also far from saying with St. Teresa:

I would give up my life a thousand times, not only for each of the truths of Sacred Scripture, but even more for the least of the ceremonies of the Church. (*Life* 33:3)

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FRANKENCHURCH RISES AGAIN: RATZINGER ON THE CHURCH

Rev. Anthony Cekada

July 16, 2007

On June 29, 2007, the Vatican Congregation for the Doctrine of the Faith (CDF), with Benedict XVI's approval, published "Responses to Some Questions Regarding Certain Aspects of the Doctrine on the Church."

Our local paper carried a short article on it entitled "Pope Says Others Are Not True Churches." The writer portrayed the Vatican document as anti-ecumenical and as a return to the pre-Vatican II teaching that "Catholicism provides the only true path to salvation."

Similar accounts appeared elsewhere in the popular press. Many commentators linked the statement to Benedict XVI's approval of the *Motu Mass*, and treated it as another sign that he was "turning the clock back" or restoring pre-Vatican II teachings.

Naturally I received a lot of questions about it from parishioners. One said, "No salvation outside the Church! Boy, the paper makes Ratzinger sound like Pius IX." And indeed it did.

But by now traditional Catholics should be wary of how the popular press covers religious questions. It is simply not a reliable source for information, especially for anything touching upon doctrinal matters. The media applies to religion – especially Catholicism – the same false liberal/conservative, left/right polarities it applies to politics.

So it came as no surprise to discover that the Vatican statement was nothing more than a rehash of Vatican II heresies on the Church – heresies that Ratzinger himself had earlier refined and developed in two CDF documents published during the reign of John Paul II.

These heresies I refer to collectively as Frankenchurch. This system posits a "People of God" and a Church of Christ that is not identical with the Roman Catholic Church and

somehow broader than it. It is an entity created from “elements” of the true Church that are possessed either “fully” (by Catholics) or “partially” (by heretics and schismatics).

The lightning strike that sent this monster lumbering off was Vatican II’s Dogmatic Constitution on the Church (*Lumen Gentium*), which stated the Church of Christ “**subsists in**” the Catholic Church – rather than **IS** the Catholic Church.

When *Lumen Gentium* first appeared in 1965, many non-Catholic commentators viewed the “subsists in” as the Church’s retreat from her teaching that she is the one, true Church of Christ. It implies that this church can now “subsist” elsewhere as well. Post-Vatican II theologians developed a whole new ecclesiology (theology of the Church) based on this notion.

Ratzinger’s June 2007 declaration now attempts to reconcile Vatican II’s “subsists in” with the traditional doctrine on the Church – that the one, true Church of Jesus Christ is the Roman Catholic Church.

The document consists of five questions and responses. The following points should be noted:

I. A Change in Doctrine?

The first question that Ratzinger’s statement poses is whether Vatican II changed the Catholic doctrine on the Church.

Not surprisingly, the answer is no – Vatican II “developed” this doctrine, “deepened” it, and “more fully explained” it.

The CDF statement cites no pre-Vatican II pronouncements from the magisterium for us to compare with the new doctrine. Indeed, **the footnotes for the document do not cite even one pre-Vatican II pronouncement or source.** Everything is Vatican II and beyond – a sure sign that Vatican II **did** change Catholic doctrine on the Church.

To answer the question, the CDF merely trots out a 1965 statement from Paul VI that *Lumen Gentium* “really changes nothing,” that “that which was uncertain is now clari-

fied,” and that everything “is now put together in one clear formulation.”

But apparently not clear enough, because after 47 years, Ratzinger must put out a document to answer the question...

II. What Does “Subsist In” Mean?

“What is the meaning of the affirmation that the Church of Christ subsists in the Catholic Church?” the document asks.

It replies that “‘subsistence’ means this perduring, historical continuity and the permanence of all the elements instituted by Christ in the Catholic Church, in which the Church of Christ is concretely found on this earth.”

Please note it well: subsistence does not mean *identity* (as in “is”) but possessing *elements*.

And with “elements” there appears, green-skinned and neck-bolted, the head of the Frankenchurch monster.

According to Vatican II, John Paul II’s Code of Canon Law and Ratzinger’s *Catechism of the Catholic Church*, all those who have been baptized – Catholics, heretics, schismatics – are incorporated into the “People of God.” This endows them with “degrees of incorporation” into, degrees of “communion” with, or “elements” of, the Church of Christ, which work out as follows:



- 1) **Catholics:** Full incorporation or communion, or **all** elements of the Church of Christ.
- 2) **Schismatics and heretics:** Partial incorporation or communion, or **some** elements of the Church of Christ.

Having **all** elements of the Church is best, but having just **some** of them is pretty good too.

If you are in the second category and “partially incorporated,” you have “invisible bonds of communion” that somehow attach you to the Church of Christ.

That is why I call it “Frankenchurch.” The Church is not an integral entity, but a monster stitched together with visible and invisible bonds, full and partial, from disparate parts – Catholics, heretics and schismatics.

Thus, according to Ratzinger: “It is possible, according to Catholic doctrine” – no citations to Boniface VIII or Leo XIII are given, alas! – “to affirm correctly that the Church of Christ is present and operative in the churches and ecclesial Communities not yet fully in communion with the Catholic Church, on account of the elements of sanctification and truth that are present in them.”

Christ’s Church “is present” and “operative” in heretical and schismatic bodies? Has Ratzinger here merely given us a “clarification” or a “clearer formulation” of the Catholic doctrine on the Church enunciated by Pope Leo XIII?

The practice of the Church has always been the same, as is shown by the unanimous teaching of the Fathers, who were wont to hold as **outside Catholic communion, and alien to the Church**, whoever would recede in the least degree from any point of doctrine proposed by her authoritative Magisterium.

Or again, can we say that Ratzinger’s statement “really changes nothing” in Leo XIII’s teaching that he who separates from the Pope “has no further bond with Christ”?

III. Why Not Just Say “Is”?

Well, Frankenchurch, that’s why.

Ratzinger’s statement explains that Vatican II adopted “subsists in” rather than “is” because it “comes from and brings out more clearly the fact that there are ‘numerous elements of sanctification and of truth’ which are found outside [the Church’s] structure, but which ‘as gifts properly belonging to the Church of Christ, impel towards Catholic Unity’.”

The purpose, then, of adopting “subsists” was to float the partial communion or “elements” theory of the Church – and thus promote the cause of ecumenism.

This much is clear from Ratzinger’s next statement: “Separated churches and communities” – schismatics and heretics, in other words – possess both significance and importance in the mystery of salvation, and “the Spirit of Christ has not refrained from using them as instruments of salvation.”

* * * * *

The remaining two questions in the CDF statement are devoted to demonstrating how the Frankenchurch ecclesiology – partial communion, elements, particular churches, etc. – applies first to schismatics and then to heretics. These need not detain us here.

What we have said should be sufficient to demonstrate that the popular perception of Ratzinger’s declaration (a return to pre-Vatican II doctrine) was the *opposite* of the reality of it (a rehash of the ecumenical Frankenchurch heresy).

Finally, Ratzinger and company surely knew that the popular press would give the declaration a “traditionalist” spin. Why issue it now?

Coupled with the Motu Mass, a document that will be perceived as pre-Vatican II in tone – “Pope Says Others Not True Churches!” – is precisely what Ratzinger needs to hoodwink gullible traditionalists.

Then they, too, can be “fully incorporated” into his Frankenchurch...

SEMINARY HIGH SCHOOLS AFTER VATICAN II

Rev. Anthony Cekada

August 9, 2007

The August 9, 2007 issue of *The Wanderer* contained an article by James K. Fitzpatrick on the demise of seminary high schools after Vatican II.

Seminary high schools, also called “minor seminaries,” once played a major role in fostering priestly vocations. These institutions provided boys who felt inclined towards the priesthood with a spiritual and academic formation appropriate to their age, and prepared them for the higher studies that would come in the later stages of the seminary program.

Seminary high schools were a great success, and before Vatican II most priests started on their road towards ordination in such a school. I myself graduated from one in 1969, and I am forever grateful to God for what I received.

Mr. Fitzpatrick says that up until about 10 or 15 years ago, he was inclined to defend these institutions. An article in *The Washington Post* (!), however, changed his mind.

“Facts are facts,” Mr. Fitzpatrick says. Not one of his classmates from Cathedral High, a seminary high school in New York, went on to become a priest.

In the late 1960s, he notes, there were 122 high school seminaries in the U.S. with a total enrollment of about 16,000. Now there are just seven with a combined enrollment about 500.

Quigley Preparatory Seminary in Chicago, closed in June after 102 years in existence, has seen just one graduate ordained in the past 17 years.

Most men being ordained in U.S. seminaries these days, Mr. Fitzpatrick observes, are older, often in their 30s and 40s.

“What are we to conclude? Is this another unfortunate sign of the materialism and loss of Catholic identity in the

modern world? Or is it more a situation where the Church has learned that it is better for young men to be a bit older and with more life experience before they begin their training for the priesthood and religious life.”

Did the graduates of these institutions, Mr. Fitzpatrick asks, go on to become “good priests”?

“The large wave of defections from the religious life in the 1960s and 1970s,” he answers, “included large numbers of religious who were in training from their early teenage years.”

Mr. Fitzpatrick ends his article with an anecdote about a religious brother he admired, but who abandoned his vocation. He then closes with the following sentence:

“He had been living as a member of the order since his early teens, through his high school, college, and young adult years.”

From this, readers are meant to infer that the pre-Vatican II system of seminary high schools was the *cause* for so many to abandon their vocations.

These comments prompted me to send Mr. Fitzpatrick the following letter:

* * * * *

Dear Mr. Fitzpatrick,

In your article on seminary high schools (*Wanderer*, 9 August 2007), you wonder why these institutions ceased to attract potential young vocations to the priesthood, and you claim that “there is no self-evident answer.”

Well, I can give you one: Vatican II **destroyed** the Catholic priesthood.

I studied at a seminary high school in Milwaukee during the years 1965-1969 and I witnessed this from the inside. As the changes in doctrine, discipline and worship began to touch each facet of Church life, I saw good and holy priests whom I admired turn into heretics, time-servers or disheartened apostates from the priestly state.

What idealistic young man would aspire to become part of such a mess?

My minor seminary, De Sales Prep, soon closed its doors, as did my seminary college, St. Francis. The massive new complex that housed both institutions (completed in 1963) was transformed into offices for the metastasized diocesan bureaucracy, exercise facilities for the Milwaukee Bucks and a retirement home for priests.

The major seminary, founded in 1848, shut down its academic program in July of this year. The few students who remain in the empty and downsized building take courses at a small religious order seminary nearby.

Before Vatican II all these institutions were thriving. One hundred and twenty-five boys entered with me as freshmen in the seminary high school. The Rector told us that after the twelve, hard years of study that would follow, just a small number of us would be ordained – “only” twenty-five.

To deny that Vatican II emptied these seminaries and destroyed the Catholic priesthood is to deny reality. From the time of St. Benedict (+543), religious institutions received boys, formed them spiritually, educated them and prepared them to be monks, priests and religious – a practice repeatedly commended by the popes.

But what flourished before the Council **withered** after it – nearly instantly – yet people like you refuse to read the writing on the wall.

I know the usual excuse *Wanderer* types make for the post-Vatican II mess: the Council was not properly “interpreted,” it restated all the traditional doctrines, etc.

However, as I quickly discovered in the seminary when I tried to use Vatican II’s statements against modernists, the documents are rife with double-talk, ambiguities and terminal logorrhea.

(If this were not so, by the way, the CDF statement on *Lumen Gentium*’s “subsists in” that you’ve been doing cartwheels over would not have been necessary. Forty *years*, and it still needs to be “clarified”?)

The Vatican II documents are classic modernist claptrap

of the type St. Pius X condemned in *Pascendi*: Catholic-sounding on one page, doctrinally subversive on the next. This was method and intention of the *periti* [theologians] – Rahner, Schillebeeckx, de Lubac, Congar and, yes, Ratzinger – who massaged the language of the texts as they were being written.

If we wish to restore the Catholic priesthood, the only “light” in which we should “interpret” the Vatican II documents should be that of a bonfire – in which we burn every single copy.

Sincerely yours...

THE “CANONIZED” MASS AND ABP. LEFEBVRE

Rev. Anthony Cekada

August 16, 2007

QUESTION: *In your Quidlibet article “Quo Primum: Could a Pope Change It?” I read your comment that a future pope after St. Pius V could, as a supreme legislator, abrogate this Bull.*

However, I still wonder why the Bull then states that “and that this present document cannot be revoked or modified,” which could only possibly be done by a future pope? This specification in the Bull would just make no sense then.

RESPONSE: In times past, various persons and institutions – kings, lower ecclesiastics, the faculty of the University of Paris, etc. – claimed the right to review, modify or revoke papal legislation.

The phrase quoted is simply standard legal language directed against attempts to do this.

QUESTION: *Has the Bull, apart from juridical value, no dogmatic value?*

RESPONSE: It is an ecclesiastical law regulating how priests are to say Mass, and is not a dogmatic pronouncement.

If it had indeed been a dogmatic pronouncement, the pre-Vatican II manuals of dogmatic theology would have treated it as such, but I know of no manual that does so.

QUESTION: *Some authors state that the Bull contains a “canonization,” which in itself can never be revoked?*

RESPONSE: Archbishop Lefebvre invented this idea, and I was present when he came up with it. Here is my recollection of how it happened:

When I was a seminarian at Ecône, Switzerland in the

mid-1970s, Archbishop Lefebvre was giving us a conference in which he was discussing his battle with Paul VI, why the New Mass was wrong, and why Catholic priests had the right to say the old Mass.

On one such occasion, the Archbishop was speaking half-extemporaneously. As part of a digression, he was searching for some sort of analogy to describe the status that Pope St. Pius V gave to the old Mass.

The Archbishop finally said that St. Pius V “canonized” the Tridentine Mass. He then smiled at the cleverness of his offhand analogy, and said that, of course, when a pope “canonizes” a saint, another pope cannot undo the canonization. So, Paul VI cannot abolish our right to celebrate the “Mass of All Time.” It has been “canonized.”

Although I saw heads all around me nod in agreement, even then, the argument struck me as a really strange. The only thing I had ever heard the verb “canonize” applied to was the process of making a saint. This, I would later discover, was exactly the case. The analogy was completely false.

However, since Archbishop Lefebvre *himself* had offhandedly said that the Tridentine Mass was “canonized,” it became part of the SSPX party line/creation myth – itself “canonized” – and passed on from generation to generation. I wonder how many SSPX clergy were taught this and still believe it.

Traditional Catholics in general and SSPX in particular should really abandon phony arguments like these – especially when so many convincing arguments based on *real* principles can be made against the New Mass and the New Religion.

A POPE AS A “MANIFEST” OR “PUBLIC” HERETIC

Rev. Anthony Cekada

October 10, 2007

QUESTION: *In 2004 the SSPX Canadian publication “Communicantes” published “Sedevacantism,” a lengthy critique of that position by Fr. Dominique Boulet. One of his principal arguments against sedevacantism was that, whatever you may think about the post-Conciliar popes, they are not really “manifest,” “public,” or “notorious” heretics, as canon law understands those terms.*

What’s your response to this? And how are these terms defined?

RESPONSE: The key theological principle behind sedevacantism is found in the treatises of pre-Vatican II canonists and theologians and may be summed up as follows: If a pope as a private individual embraces some heresy and then professes it to others openly in some fashion – theologians use various terms to characterize this heresy: “public,” “notorious,” “manifest,” or “openly divulged” – he puts himself outside the Church and automatically loses his office.

Father Boulet, like so many other anti-sedevacantist controversialists, makes two errors: (1) He confuses the **sin** of heresy with the **crime** of heresy, and (2) He confuses **generic** terms applied to heresy **before** the 1917 Code of Canon Law (manifest, notorious, public, etc.) with the **more specific** meanings these terms were given **after** the 1917 Code.

I. HERESY: CONFUSING “SIN” WITH CANONICAL “CRIME”

The principal flaw in Fr. Boulet’s argument – and one that runs through his lengthy article from beginning to end – is that he utterly confuses two aspects of heresy:

- 1) **Moral:** Heresy as a **sin** (*peccatum*) against divine law.
- 2) **Canonical:** Heresy as a **crime** (*delictum*) against canon law.

The moral/canonical distinction is easy to grasp by applying it to abortion, which likewise can be considered under the same two aspects:

- 1) **Moral:** Sin against the **5th Commandment** that results in the loss of sanctifying grace.
- 2) **Canonical:** Crime against **canon 2350.1** of the Code of Canon Law that results in automatic ex-communication.

Fr. Boulet, like so many other anti-sedevacantist controversialists, seems to think it is the second aspect of heresy – heresy as a **crime** against **canon** law – that renders a public heretic incapable of becoming a true pope or that automatically strips him of his office if he falls into heresy after has already been elected to it.

Consequently, Fr. Boulet quotes at great length criteria from the Code of Canon Law that are used to determine when a crime is imputable, public, notorious, pertinacious, etc. Any “heresies” of the post-Conciliar popes, he maintains, do not meet these canonical standards, so (he concludes) there is nothing to the sedevacantist case.

But all this is barking up the wrong tree. It is not heresy in the second sense (crime against canon law), but heresy in the *first* sense (a **sin** against **divine** law) that prevents a public heretic from becoming or remaining pope. This is clear from the teaching of pre-Vatican II canonists like Coronata:

III. *Appointment to the office of the Primacy* [i.e. papacy]. 1° What is required **by divine law** for this appointment: - - Also required for validity is that the appointment be of a member of the Church. **Heretics and apostates (at least public ones) are therefore excluded.** - -

2° Loss of office of the Roman Pontiff. This can occur in various ways: - - c) **Notorious heresy.** - - If indeed such a situation would happen, he [the Roman Pontiff] **would, by divine law, fall from office** without any sentence, indeed, without even a declaratory one. (*Institutiones Iuris Canonici* [Rome: Marietti 1950] 1:312, 316. My emphasis.)

Divine law removes the heretical pope. One need not therefore look to all the criteria laid down for crimes against canon law.

To attempt to do so in the case of a pope, moreover, is to commit a “category error” – to ascribe to something a property it could not possibly have. A pope, as Supreme Legislator, is above canon law, and therefore *cannot* commit a crime against it, so no evil act he commits can be properly called a “crime.” It can only be called a sin, **because he is subject to the divine law alone.**

II. MISTAKEN ASSUMPTIONS ABOUT “MANIFEST,” “PUBLIC,” “NOTORIOUS”

Most anti-sedevacantist controversialists over the years have, like Fr. Boulet, made exactly the same error. Why? The answer lies in their false assumptions about the meaning of technical terms.

The long line of theologians and canonists over the centuries who examined the question of a heretical pope distinguished between **two general types of papal heresy according to the “notice” or “publicity” it received.**

- 1) **“Occult”** (i.e., secret or hidden) heresy. (E.g., written in a diary, uttered in private to a few discreet people, etc.)
- 2) **A second type** of heresy that is **not occult.** (E.g., published in an official document, proclaimed in a public discourse, etc.)

For the latter, the various theological and canonical treatises did not always use an identical term, but instead em-

ployed a variety of expressions to describe the papal heretic or his heresy: “public,” “notorious,” “manifest,” “openly divulged,” etc.

These were generic terms that did not have a uniform meaning in sources and authors before the 1917 Code, and were simply used in contradistinction to “occult.” (See F. Roberti, *“De Delictis et Pœnis,” schemata prælectionum* [Rome: Lateran 1955] 80-1) Authors writing after the 1917 Code about the question of a heretical pope continued to use the same generic language to distinguish between occult and non-occult heresy.

Because of this, Fr. Boulet and many others like him have fallen into **anachronism** about the terminology. **They mistake this generic language used by authors writing about papal heresy before the Code**, and subsequently taken up even by authors after the Code, as an indication that all the minute criteria of the Code’s criminal legislation must be satisfied before a loss of papal office can kick in.

This, alas, is a fatal error, so none of their arguments on this point can be used against the sedevacantist case.

BP. WILLIAMSON PLAYS CAT AND MOUSE

Rev. Anthony Cekada

November 4, 2007

In his latest blog entry on *Pascendi* (St. Pius X's great Encyclical against modernism), Bishop Richard Williamson (SSPX) once again promotes his theory that the modernists of our own days (Ratzinger and company) are not true heretics because "subjectivism unhooks their mind from reality."

It is another application of Bishop Williamson's Mentevacantist Error which I described in an article of the same name.

In his most recent comments Bishop Williamson also uses his typical trick of suggesting (through a series of rhetorical questions) a false general principle – in this case, that modernist heretics are not responsible for their errors (and thus, we are meant to infer, they are unable to lose office):

However the Conciliar fantasies have taken such a grip on many of today's churchmen that the temptation arises to consider that none of them are churchmen at all, in particular the last few Popes. But "Pascendi" can offer a way out of this temptation by its same teaching that subjectivism unhooks churchmen's minds from reality. Are they fully aware of how mad they are, when virtually everyone shares in their madness? And if they are not fully aware, do they necessarily disqualify themselves as churchmen? "Pascendi" suggests to me that sedevacantism is not binding.

But Bishop Williamson then avoids the objection that would naturally follow from applying the false principle (that modernists are "let off the hook," i.e. excused), by quickly adding that this issue is "of secondary" importance. "What is of primary importance," he says, is saving our souls:

By no means everyone agrees with letting the Conciliar churchmen off the hook in this way, but that is of secondary importance. Back to "Pascendi" – what is of primary importance is to

give glory to God and to save our souls by submitting our minds to that one objective Faith which God has revealed, and without which nobody can please God.

Bishop Williamson has been using this particular trick for decades: False general principle, then switch to another topic before you're smoked out.

His recently re-published seminary newsletters from the 1980s are full of it. I will offer a prize to any SSPX seminarian (anonymous, of course) who can find the most examples of it in that collection – a great exercise for the First Year Philosophy students.

Bishop Williamson's rhetoric is dishonest and manipulative. Those who look to him as a "hard-liner" are being toyed with and led astray.

Some European brethren are now criticizing the symbolism on his episcopal coat-of-arms. Bishop Williamson should change it to a cat playing with a mouse.

THE TRADITIONAL MASS: HOW WE “PARTICIPATE”

Rev. Anthony Cekada

November 9, 2007

QUESTION: *Friends who are regulars at the Novus Ordo say that they like all the participation at the service, and that they don't like the traditional Latin Mass because it doesn't really have much.*

I tell them that there's nothing wrong with not participating, and that it makes for more reverence. Do you have any thoughts about this?

RESPONSE: Both you and your friends are somewhat mistaken in your understanding of what “participation” is and how that takes place at the traditional Latin Mass.

Traditional Catholics tend to look upon a sacrament as primarily something the priest *gives* and the layman *receives*. The priest is *active*, the layman *passive*. The priest *confers* the sacrament; the lay recipient *cooperates*.

This paradigm does not hold, though, for assistance at Mass. The layman is meant not merely to **receive** something passively (grace, Holy Communion, “credit” for fulfilling his Sunday obligation, etc.), but to **participate** and to **give** something actively. What? Active worship of God, because as a result of his baptism, the layman is privileged and obliged to participate, according to his state, in offering up Holy Sacrifice.

Please note the verb: **participate**.

Unfortunately, during and after Vatican II, the modernists appropriated this language, corrupted its real meaning, and used it to transform the Mass into an engine for doctrinal revolution throughout the world. Thus, they turned the priest into a president, the “assembly” into the primary agent of worship, and regimented “responses” into the only permissible indicator of participation – this is where your friends got their idea – with all present pummeled into submission by the Giant Amplified Voice.

Traditionalists, therefore, are understandably skittish about any talk of how they are supposed to assist or participate actively in offering the Holy Sacrifice. Nevertheless, active assistance and participation in the Mass, understood in the correct sense, is *required* of every Catholic.

At the traditional Mass, how do members of the laity manifest their active assistance or participation in the Mass? There are several ways, and this list is by no means exhaustive.

- 1) By receiving Holy Communion during the Mass itself.
- 2) Serving Mass for the priest at the altar.
- 3) Singing in the choir.
- 4) Singing responses as a member of the congregation at High Mass, or singing hymns during Low Mass, where either practice is the custom.
- 5) Using a Missal to follow and pray on your own the prayers of the Mass as the priest recites them at the altar.
- 6) Using a book of meditations or prayers that follows the actions of the Mass.
- 7) Reciting the Rosary, while looking at the sacred actions taking place at the altar.
- 8) Attentively following the actions of the priest at the altar while making the customary external signs of devotion appropriate to each part of the Mass (standing, sitting, kneeling, striking your breast, making Signs of the Cross, looking up at the Sacred Host, folding your hands, etc.)
- 9) Physical presence, accompanied by the intention to assist at Mass and fulfill the Sunday obligation, together with a certain degree of attention during the rite.

In one or more of the foregoing, of course, the traditionalist reader will recognize the method he employs every Sunday when he goes to Mass.

But whichever of these methods the layman chooses, it does in fact constitute a true and active participation in the Holy Sacrifice of the Mass.

RATZINGER, REVERENCE AND THE EPISTLE BABE

Rev. Anthony Cekada

December 26, 2007

Is Benedict XVI launching a liturgical reform to restore tradition and reverence in Catholic worship? Having permitted the use of the '62 Missal as the "Extraordinary Form of the Roman Rite," is he now trying to make New Mass itself "more traditional"?

Conservative bloggers who devote themselves following liturgical matters in the post-Vatican II Church would answer yes, and they are positively ecstatic.

Members of this group refer to themselves as a "new liturgical movement" and call for "a reform of the reform," by which they mean a reworking of the *Novus Ordo*.

Recently they have started to attach great significance to the reappearance of traditional accoutrements in the various Vatican ceremonies that Benedict XVI presides over. An eye-popping jeweled miter on Ratzinger's head, a Baroque morse (cope clasp) on his chest, or an ornate Pius XII-era throne behind him sets them buzzing in the blogosphere like little Barberini bees.

Another cause for excitement among the restorationists was the appointment of new Vatican Master of Ceremonies with conservative street cred, Mgr. Marini. He replaces the JP2-era MC (also named Marini) who had started out as secretary to Bugnini, the principal creator of the New Mass. The "old" Marini favored liturgical theatrics of the "progressive" variety. The new one favors lace surplices. (!)

According to the bloggers, the way Benedict XVI celebrates the New Mass at the Vatican is proof that the great restoration has already begun. Ratzinger is giving us an example and showing us the new liturgical model. Chant is accorded "pride of place," significant portions of the rite are in Latin, and the celebrant conducts himself a restrained and dignified fashion.

It is, we are assured, a return to tradition in the Roman Rite. Or is it?

To test this out, I decided to watch a re-broadcast of the Christmas Midnight Mass that Benedict XVI celebrated this year in St. Peter's.

To a layman who goes to a garden-variety *Novus Ordo* in a standard suburban American parish or to a neo-con diocesan priest persecuted by his Ordinary, I can see how Ratzinger's Latin-laced Midnight Mass would seem like Roman-Rite retro and the absolute apex of liturgical tradition.

But what Mgr. Marini had on offer certainly didn't bowl *me* over.

It was Christmas evening, and I had just returned from more than 24 hours' worth of Christmas liturgical celebrations conducted according to the *real* Roman Rite: Prime, Vigil Mass, First Vespers, Matins, Solemn Pontifical Mass, Lauds, Low Masses and Second Vespers. I have not only performed most of these ceremonies for decades, but also taught seminary courses on the history and meaning of their prayers and ceremonial. I also teach another course on problems with the *Novus Ordo* itself.

From this perspective, Benedict XVI's Midnight Mass was nothing more than rehash, albeit more staid, of the same old modernist assembly-supper. Here are my impressions.

Baroque Miter, Twisted Lizard...

The various pre-Vatican II liturgical furnishings are indeed now used in St. Peter's once again. For Christmas, the high altar was decked out with a magnificent frontal, and a crucifix stood in the center. The stubby Paul VI candlesticks have been replaced with glorious old-fashioned Baroque ones – including a seventh, which in the old rite was a privilege reserved to Ordinaries. The latter will be especially thrilling for true devotees of Tridentine *arcana*.

Benedict XVI processed into the Basilica wearing (gasp!) a jeweled miter.

Alas, he was also carrying The Twisted Lizard. This item

is a creepy modern “crucifix” staff first employed by Paul VI, and then used in Vatican ceremonies by all his successors. I consider it utterly diabolical.

Once the horde of concelebrants who preceded him had kissed the altar, Benedict incensed it and went to his presidential chair, which had been set up in front of the altar to face the people.

After the Sign of the Cross and a *Pax vobis*, he read a short vernacular instruction to the people. This is one of the many inventions the modernists introduced into the Mass in



Paul VI had sculptor Lello Scorzelli design the broken papal ferula. It was first used in 1965 at the closing of the Vatican II.

order to make it “instructional.” Needless to say, Pontifical Mass in the old rite contains no such thing.

An Invented Rite, an “Edited” Text...

Next, instead of the *Novus Ordo* equivalent of the Confiteor and the Kyrie, a hokey rite made up especially for Christmas was inserted. This consisted of an “edited” version of the proclamation of the birth of Christ that appeared in the pre-Vatican II Martyrology. Indeed, I had chanted the

traditional version the previous day at the Office of Prime.

I’m sure that the restorationists thought this rite was very grand. But removing a part of the Ordinary of the Mass and dumping in a chunk of the Divine Office is pure Vatican II stuff – “needless duplications must be eliminated,” the Council told us.

The text sung at Ratzinger’s Mass, moreover, omitted the phrases from the traditional text about the number of years from Creation, the Flood, etc. Such cannot be reconciled with modernist scripture scholarship, so, tradition be damned. At least they didn’t put in Darwin...

More Invented Stuff...

Ratzinger intoned the Gloria, and presto, *another* invented rite was interpolated. This time, kids carrying flowers and dressed in cutesy national costumes appeared at the head of a procession, followed by a deacon carrying a Christ Child and wearing a dazzling embroidered dalmatic. The Child was placed in a little shrine, and the kids did something (I forget what) with the flowers – a nice devotional touch, to be sure, but none of it a part of the traditional liturgy.

The Gloria was then sung. The congregation sang bits of the Mass of the Angels in Latin, while the choir chimed in with a fancy musical setting that sounded like a toothpaste commercial. (Really.) At the end, Benedict chanted the Collect in Latin.

Inert at the Chair...

Next came the New Mass's Liturgy of the Word, during which (unlike the traditional rite) the presider sits mute and inert at his chair. (Others have taken over the jobs he used to do.) All of it was conducted, as required, facing the people, because these bits of the *Novus Ordo* are supposed to be particularly instructional.

A layman in a suit appeared at the lectern, and proclaimed the First Reading in Spanish.

His place was then taken by a cantor in an alb, who led the congregation in singing the Responsorial Psalm, alternating with them in a hammy voice for the verses. The Responsorial that appears in the *Novus Ordo* is another post-Vatican II innovation that did not exist in the traditional rite.

And Subbing for the Subdeacon...

Then, to proclaim the Second Reading, there appeared not the Apostolic Subdeacon of days gone by, but that distinguished liturgical functionary who now adorns every post-Va-

tican II “Papal Mass”: the Epistle Babe

The Epistle Babe this year was young, American and good-looking enough to more than merit her title. There, before the high altar of the greatest church in Christendom, in a basilica packed with prelates of every description, she giggled and smiled her way through a positively *perky* rendition of the Epistle in English.

Great performance, honey! Glad you’re onboard as the Holy Father and the lace-surpliced Mgr. Marini restore our sense of the sacred...

A Missed Opportunity?

Then came the chanting of an Alleluia and the Gospel procession, conducted in a fashion that more or less resembled the traditional rite. The deacon, vested in another dalmatic that would send “reform of the reform” bloggers into a swoon, chanted the Gospel magnificently in Latin.

One element of pre-Vatican II liturgical tradition, however, was overlooked here. When the deacon sings the Gospel in the traditional rite, the book is held open for him by the sacred minister who proclaimed the Epistle. In the new rite, of course, this would be the Epistle Babe...

After the Gospel, Benedict delivered his homily. This had a good, clever opening, but eventually meandered around to offering the obligatory grain of incense to ecology. (His pal, the Archbishop of Canterbury, did the same.)

Line Up at the Lectern...

The congregation then chanted the Credo. According to the new rules, it’s never supposed to be sung by the choir alone, so bye-bye Palestrina.

Then came another made-up part of the *Novus Ordo*: The Prayer of the Faithful.

Ratzinger read the Introduction – another didactic “instruction” – and a gaggle of lay men and women lined up at the lectern. Each delivered one trendy petition in his or her

native language.

This is a hokey bit of theatre, invented to make for “relevant” liturgy, and in this context, to demonstrate that “the Church is universal.” Making the latter point, of course, required no such theatrics when Catholics everywhere used Latin, period.

I advise restorationists to spare me the canard that the Prayer of the Faithful is a restoration of an ancient practice. Litanies were led by deacons in the primitive Church, not divvied up and parceled out to women.

And as for trendy petitions, I’d like to sneak into one of these Prayer of the Faithful conga lines and lay on Marini and Ratzinger a *real* text used by the primitive Church at this point in the liturgy:

“Let the heretic now depart! Let the Jew now depart! Let the pagan now depart!”

More Cutesy Stuff...

The Offertory Procession, another bit of didactic and empty post-Vatican II symbolism followed. The cutesy kids in costumes appeared with the “gifts” they had gotten from Benedict’s sacristan thirty seconds earlier, and presented them to Benedict. Remember how one of the characteristics of the liturgical reform was supposed to be “authenticity”? An uncomfortable moment occurred when the tots didn’t want to leave; the Laced One eventually stepped up and shooed them off.

The Preparation of the Gifts was standard, stripped down, *Novus Ordo* version.

Ratzinger, however, recited prayers to himself as he circled the altar. Now, the Paul VI Missal *abolished* the old prayers, and prescribed that the incensation be done in *silence*. I suspect, therefore, that the restorationist bloggers are now desperately searching for Latin-speaking lip readers in hopes of discovering that, yes, it was indeed the incensation prayers from the *Tridentine* Missal (!!) that the Benedict was using...

On the down side, Mgr. Marini missed yet another opportunity here to restore a Tridentine practice. Before the Offertory incensation in the old rite, the subdeacon has a humeral veil placed over his shoulders, receives the paten and goes to stand at the foot of the steps, there to hold the paten at eye level.

Perhaps this job, too, could have been handed over to the Epistle Babe... another “overflow” from the Extraordinary Rite!

The whole congregation responded in Latin to the *Orate Fratres*. In both its origins and in the Tridentine rite, however, this prayer was recited in a low voice exclusively by the clergy at the altar.

Lots of Latin, Loudly...

The Prayer over the Gifts (formerly the Secret), the Preface, the Eucharistic Prayer (the Canon), Our Father, *Libera Nos*, Pax Prayer, Communion Prayers, etc., were all chanted or recited aloud in Latin.

The Eucharistic Prayer was No. 1, which the restorationists think of as “the old Roman Canon.” In fact, the modernists changed the text in 1969 to bring what they called the Institution Narrative (formerly, the Consecration) into line with the other Eucharistic Prayers they had cooked up. They popped an “acclamation” into the Canon after the Institution Narrative.

Restorationists and most laymen hear all this Latin recited aloud, and think it’s the sound of Benedict XVI turning back clock to the old rite. My perspective, needless to say, is quite a bit different.

All these prayers are recited aloud because of the new theology of the liturgy embodied by the *Novus Ordo*. The old liturgy, said Father Martin Patino (a member of Study Group 10, that actually formulated the new Ordinary itself) was *theocentric* (God-centered); the new rite, he said, was *anthropocentric* (man-centered) instead.

In the old rite under the old theology, it didn’t matter

whether the faithful heard all the prayers or not. God did. In the new rite, based on a new theology, hearing *everything* matters. You're being "instructed," and it centers on you, man!

Hence, Benedict must chirp out every last word so you can hear it, even if it is in Latin. If he wanted to be traditional, he'd turn the microphones off after the Preface and shut up.

Some Official Inventions...

Also not traditional and a Vatican II invention: concelebration. Parts of the text of the Canon are assigned to different concelebrants, who then bark them out on cue. The idea, I supposed, is to be egalitarian (all just priests here, folks!) and to engage the interest of the congregation, which is being instructed by long blocks of text recited aloud at them.

Another weird feature was the procedure for consecrating hosts at a service in which everyone (or nearly, it seems) receives communion. The ciboria were not placed on the altar. Instead crowds of priests wearing stoles and holding ciboria stood several yards away from the altar on either side at the bottom of the steps.

The balance of the rite was a standard by-the-book *Novus Ordo*: Luther's "for thine is the kingdom" after the *Libera Nos*, the non-hierarchical Sign of Peace, the priest's and people's communion lumped together, and the rest. That those who perform these protestant assembly-supper rituals should now be considered "traditional" because they conduct them in Latin shows how far the Roman Liturgy and the understanding thereof has fallen.

Two other general comments are in order.

First, in the traditional rite, a priest or a bishop is the anonymous functionary. He's supposed to keep his eyes lowered when he's moving, sitting, or turned in the direction of the congregation.

Like JP2, Ratzinger has no custody of the eyes. Given the character of the New Mass – man-centered – I suppose that

this is not particularly surprising.

Second, though the restorationists had expressed their enthusiasm over the appointment of a new Vatican music director, the choir at the Midnight Mass was horrible. The boys and men have a rough and raw sound that comes through in every piece.

The organist wasn't much better. Once Ratzinger departed, Twisted Lizard in hand, the organist slowly trudged through Widor's F-Major Toccata, an old warhorse that's meant to be played brilliantly at a breakneck speed.

The bottom line on the whole production: The same old New Mass with a few new old trimmings. Neo-Tridentine? A restoration of tradition? You're kidding yourself.

But Seriously...

Now, I've had quite a bit of fun thus far – an *inordinate* amount, some steely-eyed Dominican moral theologian might insist – at the expense of the reform-of-the-reform and restorationist enthusiasts.

Underneath it all, however, my point is a serious one: the Mass of Paul VI cannot be “redeemed” by tacking onto it various externals from the traditional rite. It is incongruous and absurd to do so because, as Mgr. Benelli remarked during the controversy with Archbishop Lefebvre in the 1970s, the old Mass represents “another ecclesiology.”

That ecclesiology was hierarchical. Vatican II swept it away, and substituted the fuzzy ecclesiology of Church as “sacrament,” “mystery,” “communion” and “People of God.”

The New Mass is a product of that new, ecumenical ecclesiology, and indeed a whole new theology. To get excited when the rite is dressed up with lace, embroidered dalmatics and the seventh candlestick is to fall into the trap of High Church let's-pretend. The old doctrine is gone.

Besides, by permitting the Motu Mass, Ratzinger will now let you play that game with most of the old tea set anyway.

Whether you opt for the “Ordinary” or the “Extraordinary” Rite, though, one rubric still remains non-negoti-

able: You *must* adhere to Vatican II and the ecumenical One-World church it created.

But as long as clerics still cling to the myth that Vatican II was a “new springtime” that needs nothing more than to be interpreted correctly, the downward spiral will continue in the Conciliar Church, and no amount of ritual frippery, whether ordinary or extraordinary, will stop it.

So, as far as I’m concerned, the only Vatican ceremony worth getting excited over in the future will be the one in which the MCs get out all the copies of the Vatican II documents they can find, pile ’em high in St. Peter’s Square and douse the lot of them with gasoline.

Who’d light the match? I’d even let the Epistle Babe do it...

AN EX-SEDE, THE MOTU MASS AND REFUSING SACRAMENTS

Rev. Anthony Cekada

June 24, 2008

A CASE TO RESOLVE: *Father Romanus, a sedevacantist, is asked to offer Mass for and address a small gathering of traditionalists in another state. The topic of his address: Why one should not actively participate in “una cum” Masses – that is, Masses at which the name of Benedict XVI is put into the first prayer of the Canon. (These include Latin Masses offered under the aegis of Benedict XVI’s 2007 Motu Proprio, as well as those offered by such groups as the Fraternity of St. Peter and the Society of St. Pius X.)*

As Father Romanus is preparing the temporary altar for Mass, Titus arrives and announces his intention to listen to the address and then assist at the Mass.

Titus was raised in a large and somewhat prominent traditionalist family and is known to all present. For many years, Titus, together with his wife and children, traveled a great distance to assist at the Mass of Fr. Romanus, and was to all appearances, a convinced and highly articulate sedevacantist.

He and his family, however, tired of the travel, and under the influence of “conservative” Catholics in their area, began to assist regularly at the Indult, later, the Motu Mass.

Fr. Romanus and his colleagues repeatedly and with considerable patience explained to Titus why this course of action was wrong and attempted to dissuade him.

These efforts, alas, were to no avail, and sad news of the defection of Titus spread to members of Fr. Romanus’ congregation. Indeed, the story was known to most of the traditionalists present at the gathering at which Titus had unexpectedly arrived.

Fr. Romanus informed Titus privately that he commits a mortal sin by taking himself and his family to the Motu Mass, and that Fr. Romanus was therefore obliged to deny him the sacraments.

Titus became indignant, and accused Fr. Romanus of being "like the St. Pius V Society," which on spurious grounds publicly withholds the sacraments from various categories of traditional Catholics.

Was the course of action of Fr. Romanus justified in this case?

RESPONSE: Based on the general principles of moral theology governing the refusal of sacraments to the unworthy and upon the facts of this particular case, yes.

1. PRINCIPLES:

The canonist Cappello lays down the following general principle:

The minister of a sacrament is bound *per se* under *pain of mortal sin* to deny sacraments to the *unworthy* - - because they cannot obtain its effect, since they are in the state of mortal sin without the will to amend. - -

Sacraments must be denied to a **public sinner**, whether he asks for them publicly or secretly. The reason is that in this case, a reason for administering sacraments is lacking; indeed, administering the sacraments would give grave scandal to the faithful.

A public sinner is one whose unworthiness becomes common knowledge. - -

Per se and *ordinarily* speaking, two things are required for someone to be considered a public *sinner*: (1) That the sin be *grave*. (2) That it be *continuous and persevering*, either by reason of the type of sin itself or at least by reason of the scandal that proceeds from it." (*De Sacramentis* 1:58, 63. Cappello's italics and bold.)

As some examples, Cappello gives concubinage, murder and neglect of Paschal communion or confession, when it is publicly known.

2. APPLICATION:

As regards how the foregoing applies to the case of Titus:

(1) **Gravity of Sin:** Titus's active assistance at the Motu Mass, among other things, (a) affirms that a sacrilegious and invalid rite (the *Novus Ordo*) is the "Ordinary Form of the Roman Rite," (b) affirms that a false religion (that of Vatican II) is the religion founded by Jesus Christ, (c) places his family in a proximate occasion of mortal sin against the faith.

These acts are grave sins against religion, faith and charity.

To this is added the grave sin of scandal – "a word or deed (whether of commission or omission) that (1) is itself evil, OR (2) has the appearance of evil, AND (3) provides an occasion of sin for another." (Prümmer, *Moral Theology*, 230.)

Other Catholics, knowing that Titus comes from a well-known traditionalist family would conclude that assistance at a Motu Mass is not only permissible but laudable for a Catholic – and thus be induced to imitate his sin.

(2) **Continuous and Persevering:** Titus's assistance at the Motu was not simply one-time or occasional, but continued and persevered.

(3) **Public:** His participation at the Motu Mass is not simply known to a few, but it is somewhat widely known.

(4) **Aggravating Circumstances:** The point of the address that Fr. Romanus intended to give was to explain why it is wrong to participate in *una cum* Masses. To have administered sacraments to Titus, especially under those circumstances, would not only have condoned Titus's sinful example, but also contradicted the principles Fr. Romanus intended to explain.

(5) **Imputability:** While many (if not most) who assist at the Motu Mass may do so in good faith or out of ignorance of the issues, such excuses would not hold in the case of Titus. He is intelligent, clearly understood the issues, and has had the principles explained clearly to him many, many times.

3. CONCLUSION

For the foregoing reasons, Fr. Romanus was **obliged** to refuse the sacraments to Titus.

Some lay Catholics may find the mere *mention* of such a conclusion to be distressing. And it will set a-chattering a few lay controversialists who maintain that *any* valid Latin Mass is just fine, and that for the administration of sacraments, the Prime Directive is “the consumer is king.”

But here the priest is merely doing his job by applying to a particular case the principles of moral theology and canon law that he learned in the seminary and that he applies every day. He is *supposed* to judge the morality of acts – to separate right from wrong – and then instruct the layman to act accordingly. If this is not the priest’s job, whose is it?

Finally, just as appealing to the **correct** principle “Outside the Church, no salvation” almost inevitably leads to the accusation that one is a “Feeneyite,” so too, appealing to and applying **correct** principles about the refusal of sacraments leads to accusations of being “like the St. Pius V Society.”

But such accusations are merely emotional appeals based on honest misunderstandings (or in a few cases, cynical manipulation), rather than real arguments that are based on objective principles in theology or canon law.

That ignorant clergy consistently misapply the Church’s rules for refusing the sacraments does not make these rules the exclusive property of the ignorant and then suspend their application to all other cases.

There are, in fact, situations in which these principles **oblige** a priest to refuse to administer sacraments to someone. And the case under discussion, alas, is one of them.

THE '68 CONSECRATION RITE AND LUTHERAN ORDERS

Rev. Anthony Cekada
June 27, 2008

On June 26, 2008, the conservative Novus Ordo website *Rorate Cæli* published an article criticizing those modernist theologians who promote the notion that Lutheran ministers may indeed possess valid apostolic succession. (This would mean that the sacraments they confer are all valid.)

This came on the heels of Rorate's 14 June 2008 article, "Got a Revolution, Got to Revolution," a withering critique of the modernist innovations in the 1968 ordination rites promulgated by Paul VI. The article alluded to the controversy over the new form for episcopal consecration, which, as I have demonstrated in my study "Absolutely Null and Utterly Void" does not sufficiently specify the order being conferred and therefore renders the whole rite invalid. A 17 June article by Brother Ansgar Santogrossi OSB went on to defend the new form on grounds of "context."

Now all this is a very interesting juxtaposition, because the principles of post-Vatican II sacramental theology do indeed seem to allow its adherents to maintain that Lutheran orders are valid.

The reason is that the notion of a readily-identifiable essential sacramental form has been replaced with "context" — in the "particular church" or community, and in the sacramental rite itself.

This principle is the basis for the Vatican's 2001 statement declaring valid an Assyrian anaphora (canon) that contained no words of consecration. General drift and context were sufficient.

(For a discussion, see Bishop Sanborn's article "O Sacrament Unholy.")

At the time, members of the modernist theological establishment pointed out that the document could be used as a starting point to declare protestant orders valid.

This “context” argument, of course, seems to be the same one Br. Ansgar used in his earlier thread to defend the validity of the 1968 Rite of Episcopal Consecration – if “*spiritus principalis*” in the essential form is vague, well, the “context” makes it specific.

All of this, though, is impossible to reconcile to the standard principles of pre-Vatican II sacramental theology.

Might as well just admit that the old rules don’t apply.

JUAN FERNANDEZ KROHN, “PAPAL ASSASSIN,” AND SSPX

Rev. Anthony Cekada

October 19, 2008



The recent revelation by Cardinal Dziwisz that John Paul II was actually wounded during an attempt on his life at Fatima in May 1982 raised a number of questions in the blogosphere about the would-be assassin, the Rev. Juan Fernandez Krohn, and about Fr. Krohn's relationship with Archbishop Marcel Lefebvre's Society of St. Pius X (SSPX).

It has been said, variously, that Fr. Krohn was not affiliated with or active in SSPX at the time of the assassination attempt, that he was only in SSPX for a short time,

that he was a sedevacantist, that he had been expelled from SSPX, that he was part of the Vatican II church at the time of the attack, etc.

For the record, here are a few of my observations:

During the years 1975-77, I was at the SSPX seminary in Ecône, Switzerland, and Juan Fernandez Krohn lived a few doors down the hall from me. He was ordained the year after me, in 1978.

He was a pleasant enough fellow (if a bit tightly wound), belonged to the hard-liner faction (as did I), and was known among the English-speakers as "JFK." To those of us hard-liners who were occasionally given to making clever remarks (I will name no names here...) he once famously said: *Soyez serieux! La situation est grave!* (Be serious. The situation is grave.)

As a seminarian, Bishop Daniel Dolan was part of the

same hard-liner faction. Of Juan Fernandez, he always says, "He had no sense of humor."

JFK was also rather clumsy, which caused him to make a memorable debut as thurifer. This probably also explains why he only succeeded in wounding John Paul II with the bayonet.

Anyone who personally knew an assassin is expected to recount an anecdote to prove how weird the fellow was. The only one I can come up with for JFK is this: He took a shower every day – but that was weird only because most seminarians at Ecône were French.

On the day the assassination attempt took place, I was still a member of the Society of St. Pius X, and resided at its Northeast District headquarters at Oyster Bay Cove, New York. When the news arrived, I was suddenly confronted with the difficult task of figuring out what in the world to say to the press.

I phoned Fr. Denis Roch, the SSPX Bursar General, to ask about what Fernandez's status was with SSPX. Fr. Roch assured me that even though Fr. Fernandez had been ordained by Archbishop Lefebvre, he was NOT affiliated with the Society and had been expelled.

I immediately prepared a press release based on this information, and promptly drove in to New York City to deliver it to the offices of *The New York Times*. So, even decades later, whenever the story of the May 1982 assassination attempt pops up in the U.S. press, so does the "fact" that Fr. Fernandez had been expelled from SSPX, and that was no longer affiliated with the organization at the time of the attempt.

Several months later, however, some priestly colleagues in France sent me evidence that the story I had been given by Fr. Roch and passed along to the *Times* was a fabrication. The Sunday before the assassination attempt, Fr. Fernandez's name was listed on the masthead of the bulletin for an SSPX priory in France, where (it turned out) he had lived and engaged in priestly ministry.

The day he departed for Fatima to assassinate John Paul

II, Fr. Fernandez left a note for the local SSPX superior saying simply that he would not be back for dinner.

The fig-leaf for the story that Fr. Fernandez was no longer a member of SSPX, I learned, was based on the notion that his "engagement" with the Society had "voluntarily terminated" on December 8, 1980. (This was also in one of the documents SSPX later produced during our litigation with them.) My informants from France, however, said that SSPX had done this "retroactively" to save face.

Juan Fernandez Krohn, obviously, had developed some deep personal problems. But it always struck me as singularly heartless that his fellow priests engaged in such an elaborate ruse in order to disavow any connection with him for the sake of public relations.

BAPTISM OF DESIRE = PERFECT CHARITY OR CONTRITION

Rev. Anthony Cekada

October 29, 2008

QUESTION: *On the subject of baptism of desire and blood, when I question the subject on one traditional website to a priest and say I believe in it, I am told I am in heresy. If I tell a priest on another traditional website that I am against it, he tells me I am in heresy.*

I am very serious. I don't know what to believe any more on the subject. If only I knew the complete truth, I would not doubt it at all. Never in my whole life, have I ever doubted the smallest thing I was taught concerning my faith.

What about the doctrine, "Outside the Catholic Church there is no salvation"? I was taught that if fallen-away Catholics did not return to the Church before they died they went to hell; that Protestants, Moslems, Jews, etc. went to hell if they did not come into the Church before they died; that if God wanted a soul to be saved, He sent a "preacher" to him to lead him into the Catholic Church. I was taught of the importance of going out and seeking souls to lead to the truth of the Catholic Church. I am not sure of even this part of my faith I was taught as a child.

The last five popes say that you don't have to be in the Catholic Church to be saved, that protestants, Jews and others don't need to be converted before they die, etc.

If what I was taught in regards to this doctrine was false, then I wonder what else I could have been taught as a child was wrong. Maybe I don't know my Catholic faith at all. Can you understand the dilemma I feel?

I have always accepted everything I was taught as a child about my faith without the least question or doubt, and I could not tolerate those who did not believe without question. I could accept baptism of blood and desire as the truth, if I knew it was really the truth.

RESPONSE: Don't feel bad if you don't remember everything you were taught. No one can do that!

Baptism of desire and baptism of blood were indeed taught in the old catechisms. This is one of the indications that a teaching belongs to **the universal ordinary magisterium**, and hence, Catholics are **obliged** to adhere to it.

No Catholic theologian teaches that these doctrines contradict the teaching "Outside the Church, no salvation."

Q: *So you are telling me it is correct to believe in baptism of desire and blood and it does not go against the doctrine "outside the Catholic church there is no salvation"?*

R: That is correct. It does not. The same theologians who teach one doctrine also teach the other.

Q: *So those souls such as protestants, Jews, etc. that God does not put in contact with the true Faith go to heaven if they live good lives according to their religion?*

Isn't this one of the heresies Benedict XVI is teaching, saying that the protestants, Jews, etc. do not need to convert to the Catholic faith?

R: You misunderstand. This is not baptism of desire, and that is not what the doctrine means.

Here is an explanation of baptism of desire from the pre-Vatican II theologian, Father Felix Cappello:

The term baptism of the spirit or of desire [*flaminis seu desiderii*] means **an act of perfect charity or contrition**, with at least an implicit wish for the sacrament. "For the heart of a man," says St. Thomas, "is moved by the Holy Ghost to believe and love God, and repent of its sins."

Thus, baptism of desire serves to justify a man in place of baptism properly speaking, for (as our treatise *On Penance* says) outside of the sacrament actually received, **perfect contrition is in itself** [*per se*] **an immediate disposition for justification.** - -

- - baptism of desire [*in voto*] takes place when at least the

implicit intention to receive it [the sacrament of baptism] is present; this intention is contained in the act of charity or contrition, insofar as it is a general will to fulfill all divine commandments and to employ all means divinely instituted as necessary for salvation. (*Tractatus Canonico-Moralis de Sacramentis*, 4th ed. [Rome: 1945] 1:110, 112.)

Baptism of desire, in other words, is equated with **perfect charity or perfect contrition**.

Q: *What happened to the concept that we must go out and convert protestants, Jews, etc. to the Catholic Church, outside of which there is no salvation. In my early years, God sent me to many souls to “preach” to, to lead them to the Catholic Church.*

R: Obviously, we’re still obliged to do this.

After all, how many Catholics, still less non-Catholics, have perfect contrition?

So, the missionary apostolate of preaching and converting souls to the one, true faith must ever continue.

INTERNET MASSES: SPIRITUAL BENEFITS

Rev. Anthony Cekada

November 1, 2008

QUESTION: *What benefits do I derive from watching the traditional Latin Mass on the internet? I know I don't get the full benefit I would if I were there in person.*

RESPONSE: It is clear, based on the teaching of pre-Vatican II theologians regarding hearing Mass over the radio or television, that one could not fulfill his Sunday **obligation** by viewing a Mass broadcast over the internet. The law requires *physical* presence at the Holy Sacrifice, or at least being part of a group that is actually present (in the case of a congregation so large, for example, that it spills out beyond the doors of the church into the street).

So, if you were able to be physically present at Mass under the usual conditions on a Sunday or a Holy Day, you would be obliged to go to it. You could not choose instead to remain at home glued to your computer – or indeed, to remain in the church parking lot, hovering over your I-Phone – and still fulfill your duty to assist at Mass.

Thus the question of the obligation.

However, the **spiritual benefit** of a broadcast Mass is another matter – you can indeed benefit from it. This is clear from the comment of Fr. Francis Connell, a well-known moral theologian at Catholic University in the 1950s, who addressed the question of hearing Mass over the radio:

One may participate in the benefits of the Mass without being actually present – namely, by directing one's intention and devotion to the sacred rite. By hearing Mass over the radio one can certainly foster his devotion, and thus profit considerably from the offering of the Holy Sacrifice. **Indeed, it could happen that one who participates in the Holy Sacrifice in this manner will gain much more benefit than many of those who are actually present.** (*Father Connell Answers Moral*

So, in these days when true Masses offered by real priests are few and far between, Catholics can at least have the consolation of knowing that a facet of modern technology so often used for evil can also be used to foster their own devotion – and indeed, to bring to them the benefits of a true Mass, wherever it is offered.

Deo gratias!

SMOG-O-SCOPUS: BP. WILLIAMSON ON THE NEW ORDINATION RITE

Rev. Anthony Cekada

November 18, 2008

In a November 15 post on his blog, *Dinoscopus*, Bishop Richard Williamson SSPX dismisses an argument against the 1968 priestly ordination rite with the following comment:

But the argument above, to arrive at its conclusion, would have to prove that Conciliar documents and reforms in themselves positively exclude the Catholic priesthood and religion, because **so long as the new rite can be taken not to exclude the true priesthood, it can still be used validly to ordain a true priest.**

Alas (for purposes of clarity), the will of Paul VI as seen in all his reforms (and now of Benedict XVI) is so to introduce the new religion of man alongside the Catholic religion of God as to include and not exclude the latter! Now any sane mind cannot stand the idea of 2 and 2 being 5 in such a way as not to exclude their being 4. But Conciliar minds are not sane. They want to apostatize while still remaining Catholic! Thus the new rite of Ordination may omit many features of the Catholic ordination, **but it introduces nothing that positively excludes a true ordination.**

The passages in question are vintage Williamsonian smog that the bishop puts out when he wants to obscure an issue: a convoluted double-negative construction (“nothing that positively excludes”) that introduces a non-existent or utterly distorted theological principle.

Who *says* – by this I mean **“which theologian says”** – that the essential form for a sacrament (“rite” in this passage of his blog) must be considered valid as long as it “introduces nothing that positively excludes a true ordination”?

That is the underlying principle that Bp. Williamson would have us accept.

But it is a diversion from the **real issue – whether the Paul VI forms for the conferral of Holy Orders**, in Latin

or the vernacular, **introduced a substantial change** in the forms, such that they no longer signify what they need to in order to confer the sacrament validly.

Bp. Williamson knows this underlying principle. Why the mumbo-jumbo then?

Because, I think, the good bishop's organization needs to satisfy two constituencies:

- 1) Lay traditionalists who still worry that Novus Ordo priests working with SSPX may not be validly ordained, and
- 2) "Rome," which, naturally enough, would expect SSPX to recognize the validity of the new sacraments as a condition to further (and eternal) "negotiations."

By avoiding the issue of the new sacramental forms, SSPX can reassure laymen that the ordinations of Novus Ordo priests who work with SSPX have been "examined on a case by case basis" to insure validity, while at the same time reassuring "Rome" that SSPX does not regard the new forms as invalid.

It's a win-win situation. Free milk all around!

So, Bp. Williamson cranks out arguments that evade and obscure the central issue.

His blog has a dinosaur for its mascot. How about an eel? Or perhaps the Smog Monster?

CALVINISM IN THE SECRET FOR THE LIVING AND THE DEAD?

Rev. Anthony Cekada

March 24, 2009

QUESTION: *The third Secret you recited last Sunday (For the Living and the Dead) read as follows:*

“O God, who alone knowest the number of the elect to be admitted to the happiness of heaven, grant, we beseech Thee, that through the intercession of all Thy saints, the names of all who have been recommended to our prayers and of all the faithful, may be inscribed in the book of blessed predestination. Through our Lord.”

Isn't predestination a Calvinist doctrine which the Church wholly rejects? Surely God knows those who will save their souls through faith, charity, and good works, but the idea of predestination as it is widely understood, that God has decided beforehand where you will go when you die, is regarded as heresy by the Church, is it not? Just need some clarification.

RESPONSE: Good question – and an illustration of why one has to look up terms to understand them in their proper sense.

First, the Church does teach predestination, but obviously not in the heretical sense of the Calvinists. You can find an explanation of the Catholic teaching from the 1913 *Catholic Encyclopedia* entry “Predestination.”

Second, the Latin text for this prayer probably predates Calvinism by nearly a thousand years.

A commentary on the language of the Missal says that the Latin term *liber prædestinationis* (book of predestination) in the Secret is “a combination of the Hebrew ‘Book of Works’ and Book of Life.’ Thus being inscribed in the *liber beatæ prædestinationis* [book of blessed predestination] is a metaphorical expression for salvation by grace and good works. We have here, then, a technical legal term [*adscriptus*,

i.e., ‘officially inscribed’] used in conjunction with one which had a Hebrew origin and a specifically Christian development.” [Mary Pierre Ellbrecht, *Remarks on the Vocabulary of the Ancient Orations in the Missale Romanum* (Nijmegen: Dekker 1963), 152.]

So, in this particular prayer, it’s a metaphor, and cannot be understood in the Calvinist sense.

Bravo for your attention to detail in the prayers – and an extra bravo for managing to follow me even for the commemorations!

HOLY WEEK: PALM SUNDAY: OLD VS. 1955 RITE

Rev. Anthony Cekada

April 5, 2009

INTRODUCTORY NOTE: The modifications in the Holy Week rites introduced in 1955 were part of a series of incremental liturgical changes beginning in 1951 that eventually led to the promulgation of the Novus Ordo Missæ in 1969.

The creation of the '55 Holy Week rites, like the creation of the Novus Ordo, was orchestrated by Annibale Bugnini, the man regarded as the evil genius who destroyed the Mass.

With the benefit of hindsight, we can look back at the 1955 Holy Week changes and see a series of incremental changes put into place that will be permanently incorporated in the Novus Ordo.

* * * * *

In the traditional rite, the priest blesses the palms at the altar in a “dry Mass” (a ceremony that follows the structure of a Mass). The procession follows, and then the Mass proper at which the Passion is chanted. The dry Mass is a survival of the practice in Rome where the pope blessed the palms at Mass in one church, went in procession to another, and offered a second Mass there.

In the 1955 rite, the dry Mass (Introit, Collect, Epistle, Responsory, Gospel, Preface and Sanctus) is gone. The priest blesses the palms not at the altar, but at a table, behind which he stands “facing the people” – the first time such a direction occurs in the Roman liturgy. Instead of violet vestments, red vestments are used, as in the *Novus Ordo*. Only one blessing prayer is used; in the old rite there were five.

For the procession, the reformers abolished the mystical ceremony at the church door – the alternating choirs inside and outside the church, and the knocking on the door, symbolizing Christ seeking entrance into the Holy City.

After the procession in the new rite, the priest chants the final collect facing the people, with his back to the tabernacle.

In the '55 rite, the Prayers at the Foot of the altar disappear entirely from the Mass, and the priest ascends the altar to incense it. If there are other ministers to assist, the celebrant does not read the Scripture readings himself, but sits at the bench to listen to them. The anointing at Bethany is omitted from the beginning of the Passion, and the setting of the guard at the tomb is omitted from the end. The Last Gospel of the Mass is suppressed.

THE OFFICE OF TENEBRÆ: OLD VS. '55/62 RITE

Rev. Anthony Cekada

April 7, 2009

One of the most dramatic and mystical ceremonies of Holy Week was the chanting in larger churches of the Office of *Tenebræ* ("Darkness") on Wednesday, Thursday and Friday evenings. This consists of the Offices of Matins (nine psalms, nine readings) and Lauds (five psalms, the Benedictus, an antiphon, Psalm 50 and a collect) from the Breviary. These are chanted in a darkening church, during which fifteen



candles on a triangular frame (hearse) are extinguished one by one as the service progresses.

At the end, all is in darkness as the choir chants the antiphon *Christus Factus Est* (Christ was made obedient unto death) and then Psalm 50, the *Miserere*. Gregorio Allegri (1582-1652) composed his now-famous *Miserere* for liturgical use at this point during the chanting of *Tenebræ* in the papal chapel.

The celebrant somberly chants a collect. All in the church then bang their books on the pews, a sound symbolizing the earthquake at the death of Our Lord. One candle (symbolizing Christ) is held in the darkness at the side of the altar, and then placed atop the hearse. All depart in silence in the darkness.

In the 1955 Holy Week rites, the beautiful mystical features of the ceremony were abolished:

Except for Wednesday evening in a church where the bishop will celebrate the Chrismal Mass on Holy Thursday morning, Matins and Lauds must be recited in the morning on all three days. So, the very notion of the encroaching *tene-*

bræ itself – darkness – disappears. Instead, the church is becoming lighter during the service.

The 1955 reformers (Bugnini and company) introduced this change on the basis of their “principle of truth,” one they would also use in the creation of the *Novus Ordo*. They maintained that the progressive extinguishing of candles originated because Matins was at first celebrated in the very early morning; fewer and fewer candles were needed to read the books as the service went on because the sun was rising. So, the sacristan extinguished unneeded candles – energy saving, perhaps, by a monastic Al Gore.

But so what? The liturgy is loaded with mystical ceremonies that were originally connected with practical functions. The reformers destroyed the symbolism.

Also abolished in 1955: Psalm 50, the *Miserere*, dramatically recited in the darkness, either in a quiet monotone, or in a heart-rending polyphonic setting. Good bye, Allegri – see you in the concert hall.

And finally, Bugnini and company declared that the earthquake goes. The reformers’ “principle of truth” tells us that it originated with the double knock on the choir stall that the superior gave to signal then end of an Office.

So, no more *fit fragor et strepitus* – the dramatic, mournful thunder in the darkness.

Just a knock in a light-filled church to herald breakfast – and eventually in 1969, “Happy are they who are called to his supper.”

MAUNDY THURSDAY: OLD VS. '55/62 RITE

Rev. Anthony Cekada

April 8, 2009

Because the Maundy Thursday ceremonies in the traditional Missal consist principally of rites connected with the Mass, the changes introduced in the 1955 *Renewed Order for Holy Week* are not as numerous as those for the other days of Holy Week.

The 1955 Ordo moves the celebration of the Mass of the Lord's Supper to the evening. This in itself is not objectionable. Nevertheless, there are also some ritual changes.

- Following the reformers' general practice of shortening rites whenever possible, the '55 rite omits from the Mass the Creed and the Last Gospel.
- A responsorial Psalm is supposed to be sung during the reception of Communion. This practice will become an integral part of the Novus Ordo.
- The Maundy ceremony (washing of the feet) may be inserted into the rite of Mass itself, and the collect following the Maundy is to be recited "facing the people."
- The traditional practices of setting up an elaborately decorated repository and adoring the Blessed Sacrament until it is removed during the Good Friday service are abolished. The 1955 Ordo (like the Novus Ordo) recommends "severity" in the decorations for the repository.

When the '55 rite first came into effect, the existing customs of an elaborate repository altar and continuous adoration were to be tolerated temporarily, said Bugnini in his 1956 commentary. But the spirit of the decree, he added, dictated that the candles and decorations be removed at midnight, and that the adoration then cease. (A. Bugnini and C. Braga,

Ordo Hebdomadæ Sanctæ Instauratus Commentarium, [Rome: Edizioni Liturgiche 1956], 97.)

By 1962, the rubrician O'Connell treats this stripping of the repository as obligatory. (See *Ceremonies of the Roman Rite*, new ed. [London: Burns Oates 1962], 286.)

Thus after an 8:00 PM Mass on Maundy Thursday, the 1955 Holy Week rites make it nearly impossible to “watch just one hour” with Our Lord.

GOOD FRIDAY: OLD VS. '55/62 RITE

Rev. Anthony Cekada

April 9, 2009

Good Friday originally had no liturgical service. No Mass was celebrated because, as Pope Innocent I explained in the 5th century, it was a day on which “the Apostles hid themselves for fear of the Jews.”

Eventually, however, the Church instituted a liturgical service for this day. In the traditional rite this consists of a Mass of the Catechumens, Solemn Orations, the Adoration of the Cross, and the Mass of the Presanctified.

During the Mass of the Presanctified, the priest brings the sacred Host back from the repository, and performs some of the rites of the Mass at the altar (including an elevation), after which he consumes the Host.

The Good Friday rite in the 1955 *Renewed Order for Holy Week* that Bugnini and company created is a Communion service. Here are some of the changes:

- The first part of the 1955 service is conducted from the sedilia, rather than from the altar (think Novus Ordo-style president's chair). The celebrant does not read a scripture reading if a minister chants it.
- The celebrant, wearing a cope (rather than a chasuble) and flanked by the sacred ministers, chants the Solemn Orations from a book positioned directly in the *center* of the altar, an anomaly in the Roman Rite.
- In the 1955 service, the Solemn Orations underwent their first series of changes in the cause of ecumenism:
 - 1) The Prayer for Heretics and Schismatics has been renamed the Prayer for the Unity of Christians.
 - 2) Where the old rite directs that no genuflection

be made in the prayer for the Jews, the new prayer directs that a genuflection be made. The omission of the genuflection in the old rite was considered “anti-Semitic.”

- The 1955 rite introduces a new option for the adoration of the Cross. The priest, standing on top step, holds cross aloft, and the people adore it in silence, rather than coming to the communion rail to kiss it. This option is also found in the Novus Ordo service.
- All the mystical ceremonies of the Mass of the Pre-sanctified were abolished:
 - 1) There is no Solemn Procession from the repository with the Blessed Sacrament, accompanied by the triumphant singing of the hymn *Vexilla Regis*.
 - 2) The vestigial Offertory rite with its preparation of the chalice and incensations is gone, and the Elevation is abolished.
 - 3) The people recite the entire *Pater Noster* (Our Father) with the priest – a practice that utterly contradicts a liturgical tradition of the Roman Rite mentioned by St. Augustine.
 - 4) The simple communion rite from Roman Ritual is followed. All may receive Communion.
 - 5) Once again, a Responsorial Psalm may be sung during Communion.

BUGNINI'S '51 EASTER VIGIL: "FIRST STEP" TO THE NOVUS ORDO

Rev. Anthony Cekada

April 10, 2009

Laymen who frequent Masses offered under the auspices of Benedict XVI's *Motu Proprio Summorum Pontificum* or organizations such as the Society of St. Pius X are under the impression that the rites they see performed there represent the apex of pre-Vatican II Catholic liturgical tradition *vis-à-vis* the New Mass of Paul VI. In the case of the Holy Week, however, this impression is false, because these groups use the 1962 Missal. This Missal incorporates a great number of liturgical changes that were introduced in the 1950s and that prepared the way for the Novus Ordo.

This connection between the 1950s changes in Holy Week and the Novus Ordo (the work of the same man, Annibale Bugnini) is particularly evident in the rites for the Easter Vigil, which underwent substantial experimental modifications in 1951. These were made permanent in the 1955 Renewed Order for Holy Week, which is incorporated into the 1962 Missal.

Holy Saturday, like Good Friday, was originally a day on which no Mass was offered. Instead, during the night from Holy Saturday to Easter Sunday, the Church kept a lengthy vigil. The faithful watched the whole night in the church, assisted at the solemn administration of baptism to the adult catechumens, and awaited the celebration of the first Mass of Easter, which concluded the vigil early Easter morning.

As Christianity triumphed throughout the world, there were fewer adult converts to be baptized, so interest in assisting at the great Vigil waned. This, coupled with various relaxations in the law of fasting, led in the eleventh century to gradually anticipating the Vigil ceremony on Saturday itself, until finally it started to be observed on Holy Saturday morning.

In the 1930s and 1940s, various “progressive” bishops in Europe repeatedly asked the Holy See for permission to celebrate the Easter Vigil at night on Holy Saturday. “Pastoral reasons” were adduced for the change in time (the Saturday morning services were not well attended) as well as “authenticity” (the prayers speak of “this night”) – again, justifications repeatedly offered for the Vatican II reforms.

In February 1951, Holy See issued a decree permitting, experimentally and for period of one year, the celebration of the Easter Vigil at night Holy Saturday. Once again, merely allowing a change of time would not have been particularly objectionable.

But Bugnini and company, who since 1948 controlled the Vatican commission for liturgical reform, seized the occasion to introduce changes into the *rites themselves*. So secret was the work of his commission on this project, Bugnini said, “that the publication of the *Renewed Order for Holy Saturday* at the beginning of March 1951 caught even the officials of the Congregation of Rites by surprise.” (Annibale Bugnini, *La Riforma Liturgica: 1948-1975* [Rome: CLV 1983], 25)

The 1951 Easter Vigil was the first crack the modernists had at destroying the liturgy, and they made the most of it.

The surprise of Bugnini’s (theoretical) superiors seems be reflected in the content of decree by which the Congregation promulgated the *Renewed Order*; it is mainly devoted to discussing the change of time, and mentions, almost as an afterthought, “the rubrics that follow.” (See SC Rites Decree *Dominicæ Resurrectionis Vigiliam*, 9 February 1951, AAS 43 [1951], 128-9.)

But these changes in the rites for the Vigil were in fact quite extensive. They were permanently incorporated into the *Renewed Order for Holy Week* promulgated in 1955 and then into the 1962 Missal of John XXIII. Here is a list of the principal changes.

- 1) The blessing prayers for the Easter fire are reduced from three to one.
- 2) A new ceremony for inscribing and blessing the

Paschal candle was introduced.

- 3) The “reed” or triple candle (richly symbolic of the Trinity and the Incarnation) used to bring the Easter fire into the church was abolished.
- 4) The clergy and people are supposed to carry candles.
- 5) The magnificent Old Testament prophecies telling the whole story of Redemption are reduced in number from twelve to four. (So much for giving Scripture back to the people...)
- 6) The celebrant sits and listens to the readings. The rubrics imply that these may be proclaimed in the vernacular.
- 7) The celebrant chants the collects at the sedilia, rather than at the altar. (Again, think Novus Ordo-style president’s chair.)
- 8) A pause for prayer is introduced after *Flectamus genua* (Let us kneel) in the orations.
- 9) The baptismal water is blessed in the sanctuary facing the people (rather than in the baptistery), and carried to the baptistery in a tub.
- 10) The Litany of the Saints is divided into two and abbreviated.
- 11) All those present recite a “Renewal of Baptismal Vows” in the vernacular – the first time the vernacular is explicitly permitted as an integral part of a liturgical rite.
- 12) The Prayers at the Foot of the Altar are dropped in their entirety from the Mass, as is the Last Gospel.

Bugnini and company portrayed all this as a restoration of antiquity, just as they would for the Novus Ordo. But their claim in 1951 was equally phony.

For instance, in ancient times Christians spent *all night* in the church. So, the number of readings in the 1951 “restoration” should have been *tripled* to, say, thirty-six prophecies, rather than *reduced* to the mere four that Bugnini left.

And laymen holding burning candles? Wax in ancient

times was a precious commodity, and laymen would contribute candles to the church for its support. In the early Church, handing out candles for laymen to burn would have been like me handing out twenty-dollar bills to my suburban parishioners and telling them to burn them during the service. Not likely.

In fact, however, in the 1951 Easter Vigil we see some principles and practices that, eighteen years later, will be imposed across the board in Paul VI's *Novus Ordo Missæ*:

- 1) Abbreviating rites (three blessing prayers to one; twelve prophecies to four).
- 2) Inventing new rites (inscribing the candle, people carrying candles, renewing baptismal vows).
- 3) Facing the people for ceremonies (for blessing the baptismal water).
- 4) Reducing actions of the priest (he sits and listens).
- 5) Lopping off parts of the Order of Mass (Prayers at the Foot of the Altar, Last Gospel).
- 6) Reciting liturgical prayers in the vernacular (the Vigil lessons and the baptismal vows).

It is therefore easy to understand why Bugnini would proclaim in 1955 that the 1951 Easter Vigil was “**the first step to a general liturgical renewal.**” (A. Bugnini and C. Braga, *Ordo Hebdomadæ Sanctæ Instauratus Commentarium*, [Rome Edizioni Liturgiche 1956], 5.)

So, whenever you assist at a Holy Saturday Easter Vigil conducted according the Bugnini rite of '51/55/62, you are witnessing with your own eyes the first step to the *Novus Ordo*.

May God grant one day that the traditional Holy Week rites of the Church be everywhere restored!

SCHOOL DAZED

How a Few Complaints about Our Little Parish School Suddenly Became a World-Wide Campaign of Lies and Calumny

Rev. Anthony Cekada

November 23, 2009

A group of disgruntled parents had come into my office to complain about our school principal and his wife, Joan. The principal, they said – a big man with a typical Polish face who was also our head usher – was gruff, stand-offish; you didn't dare suggest anything to him. He didn't smile. Everyone was afraid of him and his wife. They treated the kids unfairly. They were ruining the school. They controlled the priests and ran the parish. We were tolerating child abuse, and the state would be informed...

The foregoing scene played out, not in West Chester, Ohio in 2009, but on Long Island, New York, in 1979, when I was just two years a priest. The targets of the parents' ire were Gerry and Joan Mallon, a lovely couple who ran St. Pius V School for us. They put in countless hours to make our little school work. Joan used to say that we managed to hold it together with spit and chewing gum. Both Joan and Gerry put in hours of volunteer work to help us with administrative tasks and our publishing operation.

And for all their selfless work, the only thanks they got from a certain faction in the parish was jealousy, criticism, rumors and backbiting. No good deed, the joke went, ever goes unpunished.

And so it went throughout my priestly life. Despite all the wonderful benefits that a Catholic education bestows on children, wherever there was a school, there was also always conflict, complaints and trouble, most of it from adults. The principal is too strict or too loose, too gruff or an incompetent glad-hander. There's too much religion in the curriculum, more science is needed, you don't teach geo-centrism, daily Mass is unnecessary, languages are a waste of time, the

school is full of bullies, my kids never lie, teachers raise their voices at the kids, teachers don't control their classrooms, the dress code is too strict, there are too many punishments, the bad kids aren't being punished enough, you don't expel troublemakers, you should always give a kid a second chance – the litany of contradictory complaints was endless.

In traditional Catholic chapels, since they are small operations, disputes over these issues spill over into parish life in general. Soon everyone – even parishioners without kids – is taking up sides and has a strong opinion on the subject.

As you have no doubt heard, the parish where I now work, St. Gertrude the Great in West Chester, Ohio, has recently been caught up in such a dispute. Because of the Internet, word of it has spread throughout the trad world.

Everyone, it seems, has an opinion or wants to take a side about what we've been accused of here. Child abuse, financial shenanigans, unjust dismissals, porn-watching teenagers, pampered kitties, heroic whistle-blowers, and maligned priestly champions of "truth and justice" – these are all issues you can weigh and then issue your judgments on, courtesy of the Internet forum of your choice. First-hand knowledge of how our school or parish *actually* operates is not required; just a rumor, a grudge and high-speed access.

But since I *do* have first-hand knowledge of how our school operates – there are no paddle-swinging ogres roaming the corridors, and the kids seem plenty happy to me – I thought I would set down my thoughts on the causes and course of this unfortunate controversy.

What got all this started?

Initially, the green-eyed monster of jealousy.

After we moved our parish and school operation to West Chester in 2005, two men, both former seminarians who had serious difficulties holding down steady jobs, had set their sights on becoming principal of St. Gertrude the Great School. One of them taught in the school for several months and was fired in 2007; the other ran a tutoring business.

Each one approached me on at least one occasion to propose that I fire our current principal and hire him. Now, neither man has any organizational skills; indeed, one of them is unstable, and later confided to some students that he was “the prophet of the last days,” not part of the ideal skill set I look for in a principal.

When I rebuffed these offers, both men made themselves into magnets for any and all petty gossip and criticism against our school and our principal. If one of *them* couldn’t have the principal’s job, well, neither could he.

So, beginning around Christmas 2008, they started cranking out e-mails and web-postings attacking our parish and our school. These included all sorts of wild calumnies, distortions, speculations and denunciations directed against our principal, his family, our students, Bishop Dolan and myself.

And then?

Everything metastasized. Anyone who had a gripe of *any* description against *any* of the targets piled on.

Internet forums are ideal breeding grounds for sowing such dissension and wickedness. Postings can be made anonymously or under a pseudonym. Slackers who have nothing better to do can keep the controversies stoked. Lies and distortions stay posted forever, and by merely by repetition, they are eventually assumed to be “true.”

**If it’s all really lies and distortions, though,
why can’t people see through it?**

Traditional Catholics are particularly susceptible to any bad news, because they tend to be pessimists anyway – about the Church, politics, the economy, human nature, etc. So, it’s relatively easy to con them into believing or suspecting the absolute worst.

And if you dress lies and distortions up like some great moral crusade (Stop child abuse! Save the children! Finan-

cial shenanigans!), the truth or falsehood of the underlying allegations becomes irrelevant in the fog of righteous indignation.

How many times since this campaign started have I heard otherwise sensible traditional Catholics say “Well, where there’s smoke, there’s fire.”

But what they should be saying is, “Where there’s steam, there’s fresh manure.”

Soon, there was a torrent of lies flowing about our parish and school, so many that no one could possibly correct them all, even if he had the inclination to do so.

And that’s the “beauty” of how calumny works, and why it appeals. In *Barber of Seville*, a 19th-century comic opera, one character sings a satirical aria praising calumny, because what you start as a tiny breeze ends up “a mighty cannon roaring,” and your target (“reviled, trampled”) finally bursts under his public scourging.

Perhaps not coincidentally, the character is both a tutor and a priest.

One of your former ushers got involved. If all this stuff isn’t true, why would he say what he said?

I had inadvertently gored his ox in 2005, when I wrote an article criticizing a pompous doctor who presumed to pronounce on matters of moral theology. It turned out to be the usher’s son. Ouch! Though I personally apologized to the man for giving offense, it seems he never got over it.

When on Palm Sunday 2009 our school principal (also the head usher) tried to get the usher to ring the bell at the proper time during the procession, said usher took offense. Later in the week, he wrote to tell us he was leaving the parish.

But this wasn’t enough. In July 2009, he produced a nine-page letter denouncing the school (he had no kids in it, and no first-hand knowledge about how it ran), where we located the church, procedures for ushers, koi fish in the grotto pond, my article on his son, my opinion on the Terri Schiavo case,

my taste in restaurants, staff management, elaborate liturgical ceremonies, church flowers, my ideas on SSPX, building an “extravagant” rectory (at \$127 a square foot?), pastoral trips to Europe, funeral costs and a “kitty spa” (he misunderstood a joke in the church bulletin).

All this sounds petty, and it is. I mention it only to illustrate one sad truth that resurfaces throughout this whole affair. Many people seem to nurse smoldering resentments forever; they simply can’t let go. One perceived offense or even a simple misunderstanding is enough to dredge up everything – *everything* – you can think of against your target.

So, if I’ve criticized your son four years ago, or if the school principal uses the wrong tone of voice when he asks you to ring the bell, well, you have the automatic right by any means available to portray me as venal and the school principal as a nasty child abuser.

Never forget, never forgive. And if *anything* bad is said about someone who once crossed you, believe every word and put it on the Internet.

Was this sour outlook common among your parishioners?

Only with a few. But the lies and distortions these folks believed and then endlessly repeated eventually upset other, more charitable souls, who then began to swallow at least some of the lies. They mistook steam for real smoke, and then assumed there was fire.

And remember: anyone who has been in a position of authority in a church for a long time – priest, principal, teacher, choir director – will have inevitably offended *someone*, no matter how hard he may try not to.

Some offendees keep score. So in a dispute like this, all the old baggage has to be sent up the chute and ride around the conveyor belt for anyone to claim.

But the Gospel, the faith, prayer, and the sacraments are supposed to be the antidote to such bitterness.

I heard that you fired a qualified high school teacher who criticized your school.

Here, unfortunately, the back story descends to the level of soap operas and *telenovelas*.

Beginning in May, the teacher in question had inserted himself into an internal dispute in the principal's family, and had taken up the cause of an adult daughter against the rest of the family. This was not a wise move, since (naturally) emotions run high, and it is almost inevitable that a conflict like this will spill over into the workplace.

Nevertheless, I tried to reconcile the parties when school began in September. I treated the teacher to a lunch; he treated me to a denunciation of the principal and various school rules.

I tried to maintain a truce, but by mid-October this became impossible for another reason. Bishop Dolan and I learned that the teacher had been feeding the Prophet of the Last Days derogatory material about the principal and his family. The Prophet would then post the material on the section of a web forum he had dedicated to attacking our church and school. Imagine if your family were being mercilessly pilloried this way.

The teacher admitted these contacts to Bishop Dolan, and made no apologies – the school was paying this guy's salary, remember. That night, another derogatory nugget that could only have come from this teacher popped up on the Prophet's web-site. We immediately fired him by e-mail.

This wasn't easy for us. Bishop Dolan and I had known this man since 1978, when he entered SSPX. He was on the same side with us in many theological and liturgical wars, and we considered him a good friend.

But imagine what he did being tolerated where *you* work: interfering in a dispute involving your supervisor's family, and then feeding someone information to attack your employer on the Internet. We had no choice.

A young priest at St. Gertrude's who taught in your school, Father Markus Ramolla, got involved in the controversy. What is his background and what were his duties?

Markus Ramolla, a German, was trained at our seminary, Most Holy Trinity, which is now located in Florida. Bishop Sanborn is the Rector, and I am one of the professors. St. Gertrude parishioners provide regular financial support for the seminary, and many have contributed very generously to the seminary building fund.

In 2007, during his final year of seminary studies, Father Ramolla was ordained by Bishop Dolan here at St. Gertrude's.

On March 8, 2007, prior to his ordination to the subdiaconate, Fr. Ramolla signed a promise that, upon ordination to the priesthood, he would "assist and obey" Bishop Dolan or his designated successor, according to norms laid down for an Assistant Pastor in the Code of Canon Law and the 1954 Cincinnati Archdiocesan Statutes.

The latter (§§ 39-40) state that the is assistant "is subject to the pastor in all matters of the ministry of the parish," that he "shall keep the pastor informed of all things in connection with his duties," and that "he shall not initiate anything new without the consent of the pastor, and shall not interfere in any matter which the pastor has reserved to himself."

The rationale behind such legislation was that a newly-ordained priest should serve a fairly lengthy period of "apprenticeship" during which his pastoral ministry would be supervised by a more experienced priest who was a Pastor.

In September 2008 Father Ramolla began his pastoral ministry as an Assistant. He taught religion and German in the school, supervised sacristy work, and took care of St. Clare's Church, our mission in Columbus.

These duties he performed zealously and competently. He was personable, friendly and a good preacher. Bishop Dolan looked upon him as an eventual successor as Pastor here.

We had enough confidence in Father Ramolla to announce on September 23 that he would become school principal once the Second Quarter began on November 7. Experience shows that having a priest or a sister in that position in a traditional Catholic school often heads off many of the complaints you inevitably get with a lay principal.

So, Father Ramolla's appointment seemed like an ideal solution, and it was well received all around.

Great. So what was the problem?

The whole thing immediately blew up in my face.

In October Bishop Dolan went with Father Ramolla on a pastoral visit to Europe. One of the priests expressed surprise that Father Ramolla would be travelling with Bishop Dolan, because during his July vacation, Father Ramolla had been very vocally criticizing our seminary, our parish, our school, Bishop Sanborn, Bishop Dolan and our clergy. Word of this had spread through Europe.

In the meantime, a friend of Father Ramolla informed me of the contact between the soon-to-be-fired teacher and the Prophet of the Last Days. Father Ramolla surely knew of this. Why didn't he tell us? And what was going on?

At the same time, I noticed that one of our faithful benefactors had not passed along his generous monthly contribution to our school. This occurred after Father Ramolla had taken the man to dinner, supposedly to "reassure" him about the school. The gentleman had never needed "reassurance" before, and always spoke admiringly of our school, its students, its principal and his family. Again, what was really going on?

Other bits of unsettling news about Father Ramolla's conversations with various laymen started to surface: Complaints about his clerical peers. Statements that he would not recommend our seminary. Encouraging someone to read a web site that calumniated our church and school.

A picture started to form. Instead of being a priestly peacemaker, Father Ramolla was engaging in a stealth cam-

paign to foment unrest about seminary, school, parish, and fellow clergy. Petty complaints were welcomed and then sympathized with. All this was done behind the back and in secret.

This was a long way from the duty of a new Assistant to assist a Pastor and to be subject to him in his ministry. In this case, you're not only biting the hands that feed you, but also the ones that ordained you. And why? Certainly not over any doctrinal issue. Power? Resentment? Who knows?

One year on the job, and you're already undermining thirty years' worth of work. And the man who built it all up from nothing suddenly has to watch his back.

How did this all end?

On Tuesday, November 3, Bishop Dolan and I met with Father Ramolla. Bishop Dolan outlined these problems, expressed his reservations, and laid down the conditions Father would have to fulfill in order to serve as school principal. If the conditions were not agreeable, Bishop Dolan would arrange another assignment for him. Father deferred giving an answer at that point.

The next day, however, another priest informed us that Father Ramolla was leaving St. Gertrude's. His chalice, an ordination gift from Bishop Dolan, had already disappeared from the safe, a sure sign that a priest is leaving.

On November 5, Bishop Dolan met with Father Ramolla and asked him to leave quietly without doing further harm. He encouraged him to make a retreat in Europe with Father Schoonbroodt, perhaps with a view towards another assignment in Europe.

This advice went unheeded. Father remained somewhere in the area, where he immediately set up a competing chapel, complete with a deceptive web-site with "information about" (=attacks on) St. Gertrude the Great Church. The mask was off.

What about some of the various stories circulated about your school?

When I asked a worried parishioner about specific charges, he referred me to the November 15 and 8 postings on Dr. Thomas Droleskey's *Christ or Chaos*.

Here's what I found: "tragic events," "scandals," actions "not tolerated," "wrongdoing," "suffering sheep," "tarnished glories," "shame," "minimizing evils," "mind games," "problems," "longstanding patterns of stonewalling," "abuse of clerical authority," "misrepresentation of the truth," "sanctimoniousness," etc.

No factual allegations, just gas – and I don't mean the type that powers an RV.

The goofiest charge to surface against our school was the catch-all smear of "child abuse." This can mean *anything*. We heard this accusation from parents when I was on Long Island in the 1980s. If a teacher raised her voice at a misbehaving child and the child complained to mom, "child abuse" could be solemnly intoned. It was generally uttered in close proximity to the phrase "My child never lies."

In fact, the teacher whom we fired in West Chester earlier this year had worked with me on Long Island in those days. He even wrote a little ditty about the accusation:

"Wars and tumults fill the school,
No one there obeys the rule;
Crazy parents on the loose,
Charging us with child abuse."

You can sing it to the tune of "Hark, the Herald Angels Sing."

We don't have corporal punishment in our school. Mostly, misbehavior is punished by writing lines. This is rarely necessary, because in general the children are extraordinarily well behaved, a credit not only to the school but to their parents.

In the one case where we administered corporal punish-

ment for a serious offense, this was done in my presence, with parental consent (indeed, encouragement), and with a paddle provided by the parent. My only regret was that the cheap paddle broke on the first whack; I would have recommended one of my father's favorite weapons, a paint stirrer. It concentrates the mind.

If any of that shocks you, sorry, but you may have unwittingly bought into some liberal theories on child-raising.

As for the rest of the horror stories, if you're a parishioner who has concerns about our school, please make an appointment with me.

But otherwise, I don't feel any obligation to answer lies and distortions spread by chat forum slackers and then debated by Internet busybodies.

Are you instituting any changes in your school anyway?

We're inviting parents to spend one whole school day per quarter in the school. We'll provide the baby sitting, when necessary.

This way, parents will be able to see first-hand the great job our teachers are doing and how the school actually runs. This will give the parents themselves a powerful weapon to debunk many of the lies that have been endlessly recycled.

Our faculty consists of one bishop (an over-qualified middle grades religion instructor, if there ever was one), two priests, four lay teachers, and two sports instructors (fencing and archery). The kids get daily Mass with a sermon, and there are lots of "extras." We have a lot to offer.

How about some of the other stories spread since the departure of Father Ramolla? That you've seized bank accounts, closed a church, expelled parishioners, refused sacraments, etc.

More lies and distortions.

After this problem became public, I phoned the man who

handled the money and church maintenance for us at St. Clare's in Columbus. He had his child hang up on me, didn't pick up when I called again and then didn't return my call. Another man in Columbus tried to walk off with some books that were church property.

So, I froze the bank accounts and had the church locks changed. Otherwise, what? Risk someone declaring open season on church assets?

Shutting down the Columbus church? Bishop Dolan appointed Father McGuire, a priest-son of the parish, to be acting Pastor. He will be assisted by Father Larrabee.

We were accused of "refusing the sacraments" to the teacher we fired. Hogwash. We told him to stay off the property, because we don't want him proselytizing against our school.

We were also accused of expelling parishioners who did not agree with our decision about Father Ramolla. More hogwash, indeed, pure fantasy.

"Excommunicating" the tutor and SGG principal wannabee in early 2009? The man sent out a circular letter suggesting that some students were engaged in "repeated sexual perversion," a vile and false accusation for which he had no proof whatsoever. Since some of the students had heard of his campaign, I asked him to sign a simple retraction for me to keep on file. He refused. I told him he couldn't return until he signed.

"Shooting the messenger"? Never. Liars and calumniators? Lock and load...

Any lessons learned? Or any words to parishioners who may have left you over all this?

- Forget and forgive. Don't hang on to the memory of someone's past offenses, and then send all the old baggage up the chute whenever you perceive another slight.
- Internet forums can be sewers of gossip, calumnies, distortions and lies. Mortify your sinful curiosity and refuse to read such garbage.

- If you have a problem or a worry about something at church, make an appointment to speak with the Pastor about it. In our own case, Bishop Dolan built St. Gertrude's up from nothing over thirty years, so he is in the best position to help. It is remarkable what good such face-to-face communication can accomplish.
- Take your worry or complaint to Jesus in the Blessed Sacrament, too. Often, it will fade into insignificance before the tabernacle.

POSTSCRIPT, June 2015: I am occasionally asked about developments in the controversy after I wrote the foregoing in November, 2009.

In brief, Fr. Ramolla founded another Mass center in the area to draw off parishioners from St. Gertrude the Great. In short order, the group purchased a small school building to use as a chapel. But by late summer 2011, the group had already experienced a number of internal difficulties, and Fr. Ramolla himself had come into conflict with other traditional clergy as well. One of the clergymen Fr. Ramolla had invited to function in the rival chapel, moreover, turned out to be a sexual predator. The situation deteriorated and financial difficulties arose. Fr. Ramolla returned to Europe in Spring 2012 and the chapel building was repossessed in September 2012.

The most rabid internet critics of SGG eventually turned their fire against Fr. Ramolla, then other traditional Catholic clergy, and finally limited their own religious practice to writing anonymous blog posts.

Fr. Ramolla eventually received episcopal consecration from a married man and former employee of the New Jersey Turnpike authority, and thereafter has spent his time wandering Europe and the U.S., attempting to convince small groups of Catholics that they should avail themselves of his services.

It is not hard to see the hand of divine retribution at work in all these subsequent developments.

For our part, were very happy to welcome back to St. Gertrude a substantial number of families who had left us in 2009. Our parish has recovered very nicely from the '09 crisis, our apostolate has greatly expanded, and during the past academic year (2014-2015), St. Gertrude School has had the largest enrollment in its twenty-year history. Deo gratias!

POSTSCRIPT, 2017 **“Bishop” Robert E. Dymek**

Note from Fr. Cekada: Occasionally we get questions about whether one should treat the episcopal consecration of Fr. Markus Ramolla by a certain Bishop Robert Dymek as valid.

We’ve always answered in the negative, because Dymek emerged from the ecclesiastical underworld of untrained married men who had been secretly ordained or consecrated willy-nilly by Bp. Frank Slupski. Nothing was known about Dymek except that he was married and had no ecclesiastical training.

Recently, though, a little more information about Dymek has emerged because of his death in Louisville, Kentucky on April 28, 2017.

The first item is from Paul Sheehan, an American layman who maintains tables tracking episcopal consecrations in the traditionalist movement.

The second item is an online obituary for Dymek written by his son and posted on May 10.

This reveals that Dymek worked for the New Jersey Turnpike Authority for twenty-eight years, that he disappeared in 1998 and that he cut off all contact with his wife and family thereafter.

The third item is a 1988 photo of Dymek with his wife, family and an unidentified priest after what appears to be his daughter’s First Communion.

Dymek is another example of an untrained layman with dodgy antecedents whose sacramental acts, including his consecration of Markus Ramolla, should be treated as invalid.

GENERAL CONFESSION AS SOCIAL CONTROL

Rev. Anthony Cekada

January 21, 2010

Traditional Catholics who live in areas with several traditionalist chapels sometimes move from chapel to chapel, either temporarily or permanently, and for a great variety of reasons.

In the Greater Cincinnati area, one of the “options” available is Immaculate Conception Church (IC) in Norwood, operated by Father William Jenkins of Bishop Clarence Kelly’s Society of St. Pius V (SSPV). During our recent difficulties here at SGG, some of our parishioners, hoping no doubt to find a peaceful refuge, temporarily ended up at IC.

We have since heard that these Catholics were puzzled because Fr. Jenkins was telling them that, before they could receive any sacraments at IC, they must first make a general confession.

What is this all about? We begin with a definition and some principles.

What is a general confession?

A general confession is one in which the penitent repeats confessing either *all* the sins committed during his life or those committed during *a period of time* that spans many confessions.

Various writers (St. Francis de Sales, St. Ignatius, Pope Benedict XIV) recommend occasionally making a general confession as a means of advancement in the spiritual life, or for motives such as obtaining greater humility, fear of God, strength, peace, etc. Normally, one makes a general confession in connection with a retreat, entering a new state of life (the priesthood, religious life, etc.) or before death.

When can a priest *require* a penitent to make a general confession?

A priest can never *require* a penitent to make a general confession unless it is truly necessary.

Catholic sacramental theologians say it is necessary only if a penitent's **previous confessions** were either **sacriligious or invalid**. (See Regatillo-Zalba, *Theologiæ Moralis Summa* [Madrid: BAC 1954] 3:566)

St. Alphonsus, says the Jesuit moral theologian Cappello, warns that it is not required to repeat a confession "unless invalidity is *morally certain*, because the principle which applies here is: the validity of the act must be upheld." (*Tractatus Canonico-Moralis de Sacramentis* [Rome: Marietti 1954] 2:211.4.

Why does Fr. Jenkins then require it of SGG parishioners?

He maintains that all the clergy at SGG, except me, are either doubtfully or invalidly ordained. Hence, our clergy must be treated as if they are **not real priests**, their absolutions treated as **invalid**, and former parishioners **forced to re-confess all mortal sins** to the priests at IC.

Is there any basis for his stand on the ordinations?

Nope. I have repeatedly demonstrated, citing chapter and verse from the writings of various canonists and sacramental theologians, that Fr. Jenkins' position has no foundation whatsoever in Catholic theology.

Several years ago, I even publicly debated Fr. Jenkins on the topic. This event took place over at IC and was videotaped. I gave everyone photocopies of material from various theological treatises that supported my position, and I even handed out copies of my debate notes to those present.

While Fr. Jenkins was speaking, I looked over and noted to my amusement that the ring binder he had ceremoniously

placed open on the lectern in front of him contained only blank pages!

Repeatedly over the years when I have encountered Fr. Jenkins, moreover, I have asked him to give me the number of the canon in the Code of Canon Law that he uses to justify refusing sacraments to SGG parishioners. Just the number, I tell him, would be sufficient – I have all the commentaries, and can look it up myself.

He never answers the question – because, of course, there is no such canon!

So, since there is no basis at all in Catholic theology or canon law for Fr. Jenkins' requiring SGG parishioners to make a general confession, the rules laid down in the pre-Vatican II manuals of sacramental theology therefore forbid him from imposing it.

Are there any other theological problems with his requirement?

Lots. For one, a layman who went to SGG for many years would have trouble distinguishing sins he confessed to *me* (I'm the only "valid" one according the Jenkins' system, remember?) and sins he confessed to the "doubtful" clergy (everybody else).

This difficulty alone would under the normal rules of moral theology excuse the penitent from the material integrity of confession (in the Jenkins system, re-confessing everything).

And then there is what we will politely term an "inconsistency."

Many of the SSPX priests in the U.S and elsewhere were ordained by Bishop Williamson, whose priestly ordination (and hence, episcopal consecration) must *likewise* be treated as invalid according to the same principles Fr. Jenkins and SSPV have laid down for the clergy at St. Gertrude's. As far as I know, however, Fr. Jenkins requires general confessions *only* from parishioners who come to him from SGG, and not those who come to him from SSPX.

This could not be because the absurdity of Fr. Jenkins' underlying principle would become obvious to everyone if it had to be applied on such a global scale, could it?

If there is no theological basis for requiring general confession, why, then, does Fr. Jenkins force people to do it?

Purely as a means of social control.

Fr. Jenkins tells former SGG parishioners that **they are not actually required to believe** that the sacraments they received at SGG were doubtful or invalid, **but merely conform externally** to his rules on the sacraments. "I don't look into your conscience," Fr. Jenkins has told people.

The latter statement some people find very reassuring and appealing. Gee, awful nice of Fr. Jenkins to be so "moderate"!

Alas, it is in fact an implicit admission that he is running a cult.

Unlike Catholics who are supposed to act **according** to their consciences as correctly formed by **Catholic moral principles**, would-be parishioners at IC are required act externally **against** their consciences on the basis of a requirement that **Fr. Jenkins** invented.

Any final thoughts?

In public disputes that occasionally flare up in traditional Catholic chapels, certain souls sometimes temporarily disappear under the rubric of (I suppose), "If you can't stand the heat, get out of the kitchen."

Everyone needs spiritual nourishment, of course. But in the case of those who have left SGG in West Chester for IC in Norwood, the results are, "Out of the frying pan, and into the fire."

THE PENTECOST HYMN, ECUMENISM AND THE JEWS

Rev. Anthony Cekada

May 24, 2010

The traditional Catholic liturgy is an anti-ecumenical mine-field.

In my 1991 study of the orations (collects, secrets, post-communions) of the Mass of Paul VI, I demonstrated that the post-Vatican II reforms purged from the Missal any language which compromised ecumenism. Hence references in the prayers to notions like the *true* faith, the *true* Church, the evils of heresy, the rights of the Holy See, and the blindness of the Jews were dropped. (*Problems with the Prayers of the Modern Mass*, 22-5)

Such expressions, wrote Archbishop Bugnini, “sounded rather bad” in the ecumenical climate of Vatican II, and “no one should find a motive for spiritual discomfort in the prayers of the Church.” (*La Riforma Liturgica*, 127).

This principle was applied not just in revising the orations, but throughout the entire liturgical reform, as I demonstrate in my new book *Work of Human Hands: A Theological Critique of the Mass of Paul VI* (West Chester OH: Philothea Press 2010).

The real hot button texts in the old liturgy, of course, are those that refer to the Jews.

Once Benedict XVI authorized the widespread use of the 1962 Missal in July 2007, various Jewish pressure groups agitated for a change in the Missal’s Good Friday prayer for the Jews. This resulted in the Vatican producing an entirely new text for the prayer in 2008, which was then duly imposed on all groups that offer the old Mass under Vatican or diocesan auspices.

For an excellent overview of the affair, see Bishop Sanborn’s article *Genuflecting to the Jews*.

But in the traditional liturgy, the Good Friday prayer is merely *one* instance of a text that alludes to the faithless-

ness and blindness of the Jews. Another is found in the hymn for Matins (a part of the Divine Office) that the clergy sing or recite on the feast of Pentecost (Whitsunday).

The offending text in Latin reads as follows:

*Judæa tunc incredula,
Vesana torvo spiritu,
Madere musto sobrios
Christi fideles increpat.*

*Sed editis miraculis
Occurrit et docet Petrus
Falsum profari perfidos
Joel teste comprobans*

A prose translation reads:

Then the Jews, still faithless, are possessed by the spirit of blind anger and hate, and accuse Christ's sober servants of being drunk with new wine.

But Peter confronts them with his Master's miracles, and shows the falsity of what the perfidious Jews are saying, proving it to them from the words of Joel. (Connelly, 108)

And here is a verse translation. You can sing it to the tune of *O Salutaris* – perfect for the next time you're at an ecumenical gathering, say, or at a meeting of the Southern Poverty Law Center:

*But Juda's sons, e'en faithless yet,
With mad infuriate rage beset,
To mock Christ's followers combine,
As drunken all with new-made wine.*

*When lo! with signs and mighty deeds,
Stands Peter in the midst, and pleads,
Confounding their malignant lie,
By Joel's ancient prophecy. (Britt, 166)*

There are at least two considerations here:

(1) The hymn under discussion, *Jam Christus Astra Ascenderat*, originates in the fourth century. Its language shows that ecumenism Vatican II-style, where the true faith has no real enemies, whether heretic, pagan or Jew, is contrary to the outlook of the early Church. The oldest prayers

in the traditional liturgy called a spade a spade.

(2) Sooner or later, some Latin-savvy Jew or modernist will wade through the '62 Missal and Breviary, and ferret out passages like these – a fairly easy task these days, now that all the texts are on-line.

(The text from St. Augustine chanted at Tenebræ on Good Friday – “You, O Jews, killed [Christ] - - with the sword of your tongue” – would really send 'em ballistic.)

Then the professional anti-Semitism inquisitors (think Abe Foxman and company) will crank up their propaganda machine: A whole new generation of Catholics is now being exposed to these anti-Semitic texts in the many seminaries, schools, convents, parishes, convents and monasteries that now, thanks to Benedict XVI's 2007 Motu Proprio, follow the pre-Vatican II Missal and Breviary. Something must be done, etc.

Then there will be agitation in the secular and the modernist press to change the texts. In the name of ecumenism, the Vatican will eventually give in. Institutions that enjoy official Vatican approval (such as the Fraternity of St. Peter, the Clear Creek Benedictines, and the Good Shepherd Institute) will then have to undergo some liturgical “renewal” in the name of ecumenism.

All this, of course, takes one very far indeed from the militant spirit of the early Church, which (as is evident from its liturgical prayers) sought to convert or defeat its enemies, rather than appease them.

As for the latter course, the operating principle that the early Church followed could best be summed up as – though we doubt St. Augustine ever said it – “Never feed a live chicken to an alligator, because it keeps coming back for more.”

The traditional liturgy of the true Church, in a word, brooks no compromise with error.

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SSPX VS. DIOCESAN PRIEST: BAPTISM AND A LARGER ISSUE

Rev. Anthony Cekada

January 24, 2011

The following post from “Tridentinist” recently appeared on FishEaters, an Internet forum devoted to issues of interest to traditional Catholics:

We attend the SSPX and also the Traditional Mass offered by my brother, who is a priest, and has come to offer the Traditional Mass in terms of *Summorum Pontificum*, though he still also says the *Novus Ordo*. We go to him when the SSPX does not have Mass at our chapel (two Sundays per month). Some SSPX faithful refuse to go, saying they would rather not attend even a Traditional Mass, than any non-SSPX Mass.

We recently had our child baptised by this latter priest. We chose him as he is the baby’s uncle, would baptise the baby in the traditional rite, and indeed was very willing to do so.

However, the SSPX priest was unhappy about this, saying we were compromising our status as “traditionalists” and forgetting the battle for Tradition. We stressed that we only asked this priest to baptise, as he was the baby’s uncle, himself often said the TLM, and would baptise in the old rite. However, the SSPX side of the family refused to attend the baptism of their grandchild/nephew (they miss Mass rather than attend non-SSPX TLMs) and told us it was their duty to shun all association with the mainstream church, old rite or not (the “*Novus Ordo* institution” as they term it) lest they lose their faith.

Now the baptism is done, but I’d be interested in knowing what people, especially but not only SSPXers, would do in this case. Do you think it was sinful? Or compromising? Or a betrayal of Tradition?

This post is of interest not so much for the practical question it asks (Is an SSPX priest or a diocesan priest preferable as the minister of a baptism in the traditional rite?) but for the larger issue it raises.

The various elements that coalesce in this incident reflect a fundamental problem with the SSPX apostolate that has

existed from the beginning: the Society has never really given a coherent answer to the question “Is the Novus Ordo Catholic?” And by “Novus Ordo” I mean not just the New Mass, but the whole new order of doctrine, discipline and worship officially approved by Paul VI and his successors.

This was the crux of the matter in our dispute with SSPX in the early 1980s, and it continues to cause crises within SSPX and departures from its ranks.

Nearly all SSPX departures go “left,” that is, back to the Novus Ordo institution in one way or another, because if you have the idea drummed into you that sedevacantism is “schismatic” and then finally discover all those dogmatic texts insisting that subjection to the Roman Pontiff is necessary for salvation, logic (if not fear for your salvation) will lead you to put yourself under the authority of the man SSPX has been telling you is the Roman Pontiff.

Indeed, I received an e-mail a few days ago from someone informing me that a relative of hers who is a young priest in SSPX is just about to do this. (This is not the sort of stuff that SSPX will discuss and analyze in its publications and web apostolate; the policy is strictly “NON-DICI.”)

Tridentinist’s puzzlement about the SSPX priest and laymen objecting to the baptism by the parish priest is perfectly understandable.

If the only real issue is whether a Catholic is compromising his status as “a traditionalist” or whether he is “forgetting the battle for Tradition,” who gets to say what is traditional and what is not? Why not Tridentinist, just as well as SSPX?

And why object to baptism – in the traditional rite, no less – by a priest who is “in full communion” with the pope? Isn’t the priest’s status merely one that Bishop Fellay is seeking to obtain for the whole Society?

Archbishop Lefebvre, speaking of the disconnect between Paul VI’s words and his actions, famously said “we suffer from this continual incoherence.” The same could be said of the SSPX intellectual disconnect reflected in the case under discussion.

This has been going on for decades, as may be seen from the then-Father Sanborn's 1984 article "The Crux of the Matter."

In one sense, SSPX has a winning formula: on one hand, it can tell skeptical Catholics that it does indeed "recognize" the pope. On the other hand, SSPX is spared the inconvenience of actual subjection to him whom it "recognizes." Support then rolls in from those who lack the theological sophistication to realize that a Catholic can't have one without the other. Cha-ching!

So, on the level of principle, the matter of SSPX's status remains in a state of suspended animation, nourished by the IV drip of "negotiations" and endless, near-Talmudic arguments over the meaning what Bp. Fellay said THIS week.

Meanwhile, the fundamental question – Is the Novus Ordo Catholic? – goes unanswered.

SALZA ON SEDEVACANTISM: SAME OLD FARE

Rev. Anthony Cekada

April 11, 2011

In 2005 *Catholic Family News* and *The Fatima Crusader* published “Opposing the Sedevacantist Enterprise,” a lengthy anti-sedevacantist tract by Christopher Ferrara, a New Jersey lawyer who has also written extensively for *The Remnant* and other traditionalist publications.

Mr. Ferrara’s pompous pronouncements provided an irresistibly juicy target. I responded with “Sedevacantism and Mr. Ferrara’s Cardboard Pope” (August 2005) and “Resisting the Pope, Sedevacantism and Frankenchurch” (November 2005).

Now comes another lawyer, John Salza, from my native Milwaukee, to plead the same case with the same arguments in the same forum, this time around with an article entitled “Sedevacantism and the Sin of Presumption” (*Catholic Family News*, April 2011).

Mr. Salza, it seems, has not bothered to read either my responses to Mr. Ferrara’s arguments against sedevacantism or those of other writers who weighed in at the time, despite the ready availability of all this material on the internet (yes, even in Milwaukee). His seems to be a research-free undertaking, launched with the aid of a vernacular paraphrase of the Code of Canon Law.

Consequently, Mr. Salza does nothing more than recycle the same mythical objections to sedevacantism that I and others have answered over and over for at least twenty years.

Though in court a judge would promptly cut off a lawyer who tried this – “Asked and answered, counselor. Move on.” – this apparently did not occur to the Editor of *Catholic Family News*.

So, we will need to repeat our previous responses to these stale objections as we point out two of Mr. Salza’s most egregious errors: (1) How he confuses the *sin* of heresy with the

canonical crime of heresy, and (2) How he mistakenly assumes that before one can conclude someone is a heretic, one must engage in some sort of mind-reading.

1. CRIME AND SIN CONFUSED

Mr. Salza devotes six columns of his eight-column article to the passages in the Code of Canon law that pertain to heresy. He serves up a disorganized little sampler of his thoughts on canonical concepts such as “notoriety,” pertinacity, due process, legal presumptions, “habitual inculpable ignorance,” “inadvertence,” and of course, required “canonical warnings.”

On the latter, he points to canon 2314 as a gotcha quote that would supposedly require canonical warnings before a heretical pope would lose office. No warning, no heresy, no sedevacantism.

All the technical lingo, we suppose, is meant to impress the groundlings. But Mr. Salza has committed a category error. For the principles, criteria and processes he discusses pertain to the **canonical crime** of heresy (heresy as a criminal offense against *canon* law) and not to the **sin** of heresy (heresy as a grave sin against *divine* law).

The distinction is easily grasped by considering abortion. The act has a two-fold aspect: as a **sin** against divine law (Thou shalt not kill) that brings with it the loss of sanctifying grace, and as a **canonical crime** against church law (canon 2350) that brings with it certain canonical penalties. One may commit the sin of abortion without necessarily fulfilling all the legal conditions required for the canonical crime of abortion.

In the matter at hand, when canonists and theologians say that “heresy” automatically deprives a pope of his office, they are referring to the **sin** of heresy, not to the **canonical crime** of heresy.

So all the rigmarole that Mr. Salza trots out from canonical criminal proceedings about pertinacity and the need for “warnings” to the post-Conciliar popes is irrelevant to re-

futing the sedevacantist case.

This much is evident from the canonist Michel's discussion of the nature of heresy when he says that the "pertinacity" that must be present for the sin of heresy **"does not of necessity include long obstinacy by the heretic and warnings from the Church."** A condition for the sin of heresy is one thing; a condition for the **canonical crime** of heresy, punishable by canon laws, is another." ("Hérésie, Hérétique," *Dictionnaire de Théologie Catholique* [Paris: Letouzey 1913-1950] 6:2222)

2. THE MIND-READING MYTH

Having wrapped his canonical red herring in six columns of newsprint, Mr. Salza then takes one column to dismiss the sedevacantist argument based on divine law (one I have frequently made) as "nonsensical, it also does nothing for their case."

Underlying this claim is Mr. Salza's assumption that, to be able to impute even the sin of heresy to anyone, a Kreskin-like ability to read minds is required. No moral imputability is possible, because one is "dealing with the Pope's heart and mind... judging his internal dispositions... a Pope may have a mental reservation..." and a one ends up "arrogat[ing] to oneself the authority to determine a Pope's level of malice or lack of ignorance."

This claim is absurd. As I have demonstrated elsewhere, such mind-reading is not required to establish the existence of sin of heresy. Again, we turn to the canonist Michel:

Because the act of heresy is an erroneous judgment of intelligence to commit the sin of heresy it suffices to knowingly and willingly express this erroneous judgment in opposition to the Church's magisterium. **From the moment that one sufficiently knows the existence of the rule of the faith in the Church and that, on any point whatsoever, for whatever motive and in whatever form, one refuses to submit to it, formal heresy is complete.** (Ibid. 6:2222)

Nor is the type of mind-reading Mr. Salza envisions required to establish even the canonical **crime** of heresy. In canonical penal procedure, any act that signifies heresy establishes the presumption of heretical depravity:

The very commission of any act which signifies heresy, e.g., the statement of some doctrine contrary or contradictory to a revealed and defined dogma, gives sufficient ground for juridical presumption of heretical depravity - - [E]xcusing circumstances have to be proved in the external forum, and **the burden of proof is on the person whose action has given rise to the imputation of heresy. In the absence of such proof, all such excuses are presumed not to exist.** (McDevitt, *The Delict of Heresy*, CU Canon Law Studies 77. [Washington: 1932] 35. My emphasis)

This also shoots down arguments Mr. Salza made earlier in his article when he claimed that Benedict XVI cannot be guilty of heresy because:

“A person can make heretical statements while maintaining orthodox internal dispositions, that is, he may not necessarily believe what he says, [!!] based on many factors (peer pressure, misplaced zeal, emotional imbalance, even diabolical disorientation). - - Pope Benedict confessed that what he says and what he believes may be two different things (evidence that he may be laboring under inculpable inadvertence or error of mental reservation).”

As an attempt to exculpate Benedict XVI, this scenario is hilarious: The Pope cannot be a heretic because (1) he says things he doesn't believe and (2) what comes out of his mouth may have no connection with what's in his head.

However, “hypocrisy/robot mouth” is not one of the defenses recognized by canon law. Boiled down into non-technical language, these are limited to: I was crazy, I was stupid, I was daydreaming, heretics forced me to get drunk, someone twisted my arm, I got really ticked, and finally, self-defense – which works out to something like “I ducked down to kiss that Koran because the imam took a swing at me.” So, as defense counsel for John Paul II and Benedict XVI, Mr. Salza

would be stuck with one of these.

And if Mr. Salza still wants to plead ignorance as a defense for his distinguished clients (both doctors of sacred theology, please note) he should be aware that:

If the delinquent making this claim be a cleric, his plea for mitigation must be dismissed, either as untrue, or else as indicating ignorance which is affected, or at least crass and supine - - His ecclesiastical training in the seminary, with its moral and dogmatic theology, its ecclesiastical history, not to mention its canon law, all insure that the Church's attitude towards heresy was imparted to him. (McDevitt, 48. My emphasis)

Bottom line: mind-reading is not required before you are permitted to conclude that someone is a heretic.

* * * * *

There are other errors in Mr. Salza's article that one need mention only in passing:

- The passage in St. Thomas which Mr. Salza cites in footnote 3 (to *Summa* II-II, Q 21, art 1-2) has nothing whatsoever to do with the assertions about heresy that Mr. Salza makes in his main text.
- Mr. Salza's comments on canon 188.4 (automatic loss of ecclesiastical office due to public defection from the Catholic faith) confuse tacit resignation, penalties and criminal procedure.
- Mr. Salza accuses sedevacantists of "the sin of presumption" when he in fact appears to mean "rash judgment."

As an alternative to sedevacantism, he serves up the same old and moldy dishes from the SSPX/*Remnant* buffet table: the out-of-context "resistance" quotes from Bellarmine and others, the pope-as-bad-dad scenario, and Paul resisting Peter. None of these leftovers has been rendered any more palatable by the dash of Salza.

Though all lawyers are schooled in how to argue effectively, the good ones do their research and make every effort to understand their opponents' arguments. Mr. Salza has not done so here.

Catholic Family News readers should therefore disabuse themselves of the notion that Mr. Salza's "Sedevacantism and the Sin of Presumption" is an effective or convincing response to the sedevacantist case.

For the one thing Mr. Salza's article *has* demonstrated is the unlikelihood of his future success in the exciting and challenging field of canon law.

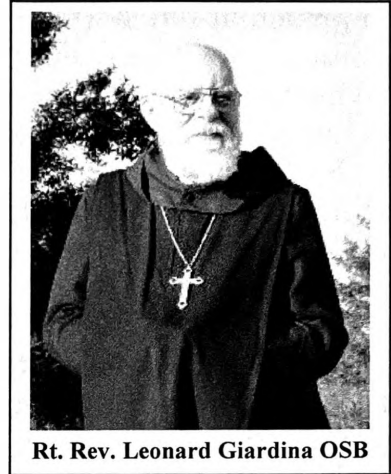
TRAGEDY AND TREASON AT CHRIST THE KING ABBEY

Rev. Anthony Cekada
May 30, 2011

Traditionalist forums have been abuzz during the past few weeks over the fate of Christ the King Abbey, in Cullman, Alabama, which ended up in the hands of the Novus Ordo church four months after the death of its founder, Benedictine Father Leonard Giardina.

How can one account for this betrayal of all the traditional Catholics who supported the monastery over the years? And who is ultimately responsible for it?

It is a tale of a tragedy that almost inevitably ended in treason.



FOUNDATION AND WORK

Father Giardina, formerly a member of St. Bernard Monastery in Cullman, founded Christ the King in the early 1980s.

During the upheaval after Vatican II, his superiors at sent him to Notre Dame for some theological “updating.” Father resisted the brainwashing, left the St. Bernard’s, took a job in a grocery store in Cullman to support himself, and started offering the traditional Latin Mass for a small group of faithful Catholics in the area.

Thanks to the help of a successful businessman, Fr. Giardina was able to obtain land and found a monastery. Word of this new foundation spread, and his monastery soon drew extensive financial support from all varieties of traditionalists throughout the U.S.

Unlike most Benedictine monasteries in the U.S., the monks at Christ the King conducted no active apostolate. They recited part of the day hours of the Divine Office in common, and performed manual labor on the monastery grounds.

Fr. Giardina visited us at St. Gertrude the Great in 1991 to preach at our Forty Hours' Devotion. As a result of that contact, a number of our parishioners took an interest in the monastery. Some became Benedictine Oblates, and occasionally visited the monastery to make private retreats.

Father steered clear of the Society of St. Pius X and its Benedictine affiliates. During his visit here, he regaled us with a number of amusing anecdotes about his encounters with the rather "French-fried" Benedictinism of the latter.

On the other hand, Fr. Giardina was studiously coy about revealing his position on the question of the pope. As far as I know, he never made any public statements one way or the other.

Fr. Giardina's monastery newsletter, *Speculum*, moreover, routinely printed a denunciation of traditionalists who engage in "controversy" and "sterile polemic." Such questions, readers were assured, were of no interest to monks, who only sought to be "spiritual."

Father's caginess on the pope question and his repeated "We're-too-spiritual-for-controversies" protests, though, struck me as nothing more than a clever two-pronged fund-raising ploy:

- 1) Say absolutely nothing about the pope, so you can hit up all categories of traditionalists for donations: sedevacantists, SSPX-ers, independents, and Motu types.
- 2) Play up the "I'm-only-a-humble-unworldly-monk" routine.

On the latter point, having spent some time as a monk myself, I am well aware how some of the sons of St. Benedict ham up the "humble monk" shtick whenever they sniff the

scent of a potential big benefactor.

The double formula was a gold mine for Christ the King Abbey. Fr. Giardina played it to the hilt, and the bucks rolled in.

But in the long run, it sowed the seeds for abbey's surrender to the modernists.

FR. GIARDINA AND SEDEVACANTISM

In the 1990s, we heard stories that Fr. Giardina followed the "material-formal" thesis on the question of the pope. This thesis originated with Bp. Guérard des Lauriers, and in the practical order amounts to the same position as sedevacantism.

Naturally, Fr. Giardina said nothing whatsoever publicly about his adherence to this position, so the monastery's delicate fundraising ecosystem remained undisturbed.

Nevertheless, Bishop Robert McKenna, who also adheres to the material-formal thesis, ordained several priests for Christ the King.

Bishop McKenna also formally blessed Fr. Giardina as an abbot. The night before the ceremony, Fr. Giardina assured Bp. McKenna that he did not mention the name of John Paul II in the Canon of the Mass.

The number of parishioners who regularly assisted at Mass at the monastery chapel was between 60-100. Most were sedevacantists.

MY 2007 VISIT TO THE ABBEY

In 2007 Fr. Giardina contacted me and invited me to spend a few days at the abbey. This came as quite a surprise, because of my own reputation as both a sedevacantist and, needless to say, a controversialist.

The reason I was given for the invitation was this: Fr. Giardina wanted to find a way of publicly announcing that Christ the King Abbey was indeed sedevacantist. So, photos of yours truly, taken at the monastery with Father Abbot,

would be published in the monastery newsletter as a way of beginning to break the news gently to friends and benefactors.

I figured that, at long last, Fr. Giardina had finally come around.

I spent a few pleasant days at the abbey after Pentecost, was duly photographed with the abbot and had a number of very positive discussions with some of the monks about the *sede vacante* question. It all seemed to go very well.

I also broached the topic of insuring that the monks received a proper formation in Latin, philosophy and theology before ordination. Church law prescribes that *all* priests,



even those who will not pursue an active pastoral apostolate, receive a full seminary formation.

Though the young monks were of very good will, they had been ordained with very little intellectual formation. They knew little theology and less Latin, but they were aware of this short-

coming and wanted to correct it.

I told Fr. Giardina that if he wanted, I would investigate some possibilities for arranging for the monks to get some proper classes, perhaps via video links. I also expressed my fear to him that, without a proper theological formation, his monks could easily be gulled into joining the Conciliar Church once he was dead.

Father was agreeable to my proposal, and said he would let me know.

So, I left the monastery feeling quite optimistic.

But nothing whatsoever came of my visit. Father never got back to me on the question of classes for the monks, and

he never published any announcement about the pope question. The matter died.

In fact, the news eventually got worse. Over the past few years, lay visitors to the abbey who inquired whether the monks acknowledged Benedict XVI as pope in the Canon of the Mass were firmly refused an answer.

DIVISION AND DEATH

It now appears that the younger monks were divided on the question of the pope, though their common esteem for Fr. Giardina held the community together as long as he was alive.

As Fr. Giardina's health began to fail in old age, the divisions became more pronounced.

Father Sebastian Glentz, one of the two monks who turned the monastery over to the Novus Ordo church, said, "We did not discuss the issue; we prayed about it. Behind the scenes, our community was divided."

Fr. Glentz had for some time been engaged in behind-the-scenes contact with the Novus Ordo authorities. He claimed that in December 2010 Fr. Giardina had given him permission to do so. But another monk later disputed whether by this time Fr. Giardina, who had become quite feeble, truly understood what was going on around him.

By late 2010 the monastery was down to five monks: two sedevacantist priest-monks, Fr. Giardina, Fr. Glentz and Fr. Michael Sauntner, who also favored joining the Novus Ordo.

Since Fr. Giardina had put Frs. Glentz and Sauntner in control of the civil corporation that owned the monastery property, they were able to engineer the expulsion of the two sedevacantist monks from the monastery in December 2010.

On January 7, 2011, Fr. Giardina died and was buried with a Low Mass.

In early March, Fr. Glentz and Sauntner closed the monastery church to the public, and placed a statement in the parish bulletin announcing their intention to defect to the modernists.

On May 1, the Bishop of Birmingham received the vows of Frs. Glentz and Sauntner as “canonical hermits” of the diocese.

Clergy from the Canons Regular of St. John Cantius, a group in the Archdiocese of Chicago that offers both the *Novus Ordo* and the traditional Mass, have been installed in the monastery to assist Frs. Glentz and Sauntner during their “transition.”

The tragedy had played out, and the treason was complete.

The betrayed laity who assisted at Sunday Mass at the monastery chapel have now abandoned it. Fortunately, the CMRI Fathers were able to set up a mission in the area immediately.

Benefactors of the monastery – and not just the sede-vacantists – now rightly believe that they have been hoodwinked and cheated. They donated generously to Christ King Abbey precisely because it had NO connection with the *Novus Ordo*. But now the fruits of their sacrifices have been turned over to the service of the Robber Church.

WHY DID IT HAPPEN?

Understandably, traditionalists have loudly denounced Frs. Glentz and Sauntner for handing the monastery over to the false religion of Vatican II. But in large measure, this is to misplace the blame.

For how could Fr. Glentz and Sauntner have been expected to resist the blandishments of well-educated and smooth-talking Conciliarists (a former bureaucrat from the Roman Curia among them) if they themselves had no formation in traditional Catholic theology?

Fr. Sauntner in particular is an extremely simple man. In a normal monastery, he would have remained a lay brother all his life and never been ordained. How could someone as child-like as he see through the deceptions of some curial crocodile with a doctorate in canon law?

Or how could Frs. Glentz and Sauntner have been expected

ted to worry about affiliating their institution with the poisonous errors of the Conciliar Church if their beloved Fr. Giardina had been saying for *decades* that monks should have no interest in “sterile polemics” about such issues?

Or how could Frs. Glentz and Sauntner have been expected to resist an offer to “come under obedience to the Pope” if Fr. Giardina kept a total public silence on the the question of the pope and refused to discuss it?

Or how could Frs. Glentz and Sauntner have been expected to at least seek the advice of other traditionalist clergy about the step they were going to take if Fr. Giardina (as one of the sedevacantist priest monks said) had been depicting all other traditionalists, rather than the Conciliar Church, as “the real enemy”?

The primary responsibility for the tragedy and the treason of Christ the King Abbey, one must sadly conclude, lies not with these men, but with Father Leonard Giardina.

This, I know, is a severe judgment on a kind priest who had many virtues.

But it was not Fr. Giardina’s virtues that led to his monastery ending up in the clutches of the Robber Church. It was Fr. Giardina’s refusal to educate his monks as the Church required, his refusal to address the issues of the day, his refusal to adopt a clear position on the question of the pope and his portrayal of other traditionalists – rather than the modernists – as the real enemy.

What he failed to do and the consequences should serve as a sobering lesson and warning for other traditionalists. Christ the King Abbey is one of so many traditionalist institutions that began in resistance, operated without coherent theological principles, and therefore ended in surrender.

In a 2003 article, “Untrained and Untridentine: Holy Orders and the Canonically Unfit,” I outlined the requirements church law and the popes had laid down for proper seminary training, and I discussed at some length its importance for traditional Catholic clergy.

I also listed objections that had been made against insisting on this training, including one I drew directly from Fr.

Giardina's newsletter – in essence, that clerical education leads to pharisaism and pride. Fr. Giardina's objection, together with my response, were as follows:

I. Sterile Polemic. *"You are engaging in sterile intellectual polemics in which we have no interest. Your comments are uncharitable, unspiritual and divisive. As a priest, you should keep them to yourself. You are like the Pharisee who boastfully looked upon himself as someone special above the rank and file of the unworthies of the world!"*

Response: Here is Pius XI on our responsibility to speak out against an ill-trained clergy: "What a terrifying account, Venerable Brethren, we shall have to give to the Prince of Shepherds, to the Supreme Bishop of souls, if we have handed over these souls to incompetent guides and incapable leaders."

And so it was to "incompetent guides and incapable leaders" that Fr. Giardina entrusted his life's work. And they in turn, handed it over to the wolves.

A terrifying account, indeed, for any man to have to render to the Prince of Shepherds.

We should therefore be solicitous to pray for the repose of the soul of Father Leonard Giardina. Most especially, we should to have many Masses offered for his soul – for the Masses offered for him in the monastery he founded will be no Masses at all.

May God grant Fr. Giardina eternal rest.

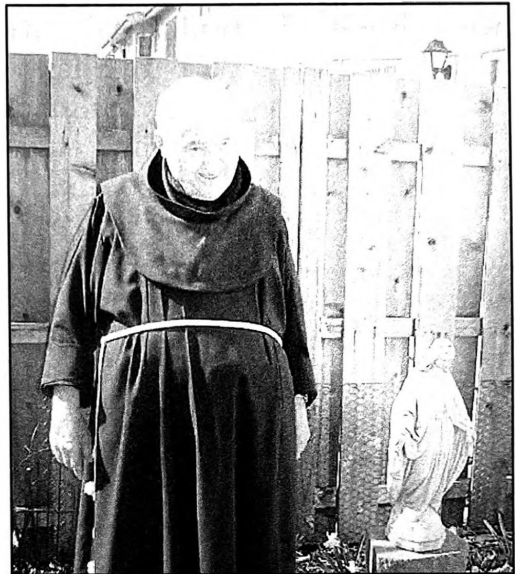
And may He now smash the walls of Christ the King Abbey down into the dust.

FR. MARTIN STEPANICH OFM, STD: SEVENTY YEARS A PRIEST!

Rev. Anthony Cekada

July 3, 2011

NOTE: I thought readers of Quidlibet would enjoy reading some of the reflections of Father Martin Stepanich, OFM, STD, who recently celebrated his seventieth anniversary as a priest. After Vatican II Father rejected the changes and set about conducting an extensive apostolate by mail and phone, encouraging countless faithful Catholics to do the same.



The following is excerpted from Father's July-August-September 2011 Newsletter. God bless you, Father!

Just perfect for a priest jubilarian are the following words of one of the stanzas of Father Frederick William Faber's immortal Eucharistic hymn, Jesus, My Lord, My God, My All:

Had I but Mary's sinless heart
To love thee with, my dearest King!
O, with what bursts of fervent praise
Thy goodness, Jesus, would I sing!

Yes, with what bursts of the fervent praise and love and thanksgiving of Mary's Immaculate Heart does an aging priest of 70 years address the infinite goodness of Jesus, the Eternal High Priest! And how easily do also the following

words of that same sinless Heart of Mary come up from such a priest's own unworthy heart and onto his lips: *Magnificat Anima Mea Dominum – My Soul Magnifies the Lord!*

The day of the beginning of specially fervent praise and love and thanksgiving for this priest of 70 long years was Sunday morning, May 18, 1941, when he was ordained, according to the traditional Catholic rite of ordination, by Chicago's Bishop Bernard Sheil, in the Quigley North Seminary Chapel, together with a small group of other ordination candidates from different Religious Orders and Congregations within the Chicago area. Usually, for such a small group, there is no organist nor choir in the Quigley Chapel choir loft, but, much to our pleasant surprise, we suddenly heard the beautiful Litany of Saints being sung – a litany which is always a part of an ordination ceremony.

As a bit of a distraction, and before telling about my First Solemn Mass, let me mention that 3 days before the May 18th ordination, that is, on Thursday, May 15th, an unforgettable, tremendously powerful mid-afternoon storm blew in from the northwest upon our Lemont, Illinois, Franciscan Monastery (St. Mary's Seminary) of the Slovene Franciscan Fathers. Among the trees blown down on the monastery grounds was a beauty of a tall majestic elm tree right in front of the monastery building. There was speculation by weather experts that a tornado funnel may possibly have skipped through, but without quite coming down hard on the ground.

As so often happens after a big storm, chilly air moved in from the north for the next few days and, as we headed for Quigley Seminary on the Sunday morning of May 18, it was a bit chilly.

And now about my First Solemn Mass. The date of that Mass was delayed until June 15, so that relatives and acquaintances, especially those from Pueblo, Colorado, could make it. The privileged church for such a rare solemnity was St. Ignatius Church in the small town of Neodesha (population 3,300) in southern Wilson County, southeast Kansas, some 30 miles north of the Oklahoma border. It was in that

church that I had been baptized (on December 5, 1915), had received my First Holy Communion (on May 21, 1925, four days after the canonization of St. Therese Martin, the Little Flower), and was confirmed by Wichita's Bishop Schwertner (May 14, 1928).

The long-time pastor of Neodesha's St. Ignatius Parish was the highly-regarded Father George Reinschmidt (born in Rochester, New York). The deacon for my First Solemn Mass was the many-years major superior of Lemont's Slovene Franciscan Fathers, Very Reverend Father Benedict Hoge, O.F.M. (native of Cleveland, Ohio), while the sub-deacon was our Lemont Franciscan Father Cyril Shircel (born in Sheboygan, Wisconsin), a Doctor of Philosophy graduate of Washington's Catholic University, and also a zealous and very talented promoter of the philosophy and theology of the renowned 13-14th century Franciscan John Duns Scotus. It was this Father Cyril who later arranged for me to enroll in the Catholic University School of Sacred Theology, with the final outcome being that I there gained the degree of Doctor of Sacred Theology. The title of my doctoral dissertation is *The Christology of Zeno of Verona*.

Interestingly enough, my hometown of Neodesha, Kansas, was the location of the first commercial oil well west of the Mississippi River, an oil well that to this day goes by the historic name of Norman Number One oil well. Standard Oil Company operated a refinery in Neodesha for about 75 years. Noteworthy, too, is the fact that Neodesha's mayor, Harry Woodring, became Democratic Governor of Kansas for two terms, and then Secretary of War under President Roosevelt – until he could no longer stand Roosevelt's socialist policies.

How do you pronounce Neodesha? Add the letter y to it, this way: Neodeshay – and pronounce it with the accent on the "shay." It's an Osage Indian word that means "the meeting of the waters," because two rivers, the Verdigris River on the east side of town and the Fall River on the west side of town come together a mile or so south of town. Southeast Kansas was Osage Indian Territory.

■ To get back to the Father Martin Stepanich issue – dad’s Kansas farm, where I was born (in 1915) and grew up was about 7 miles southeast of Neodesha. Purchased as a 160 acre double farm by my dad (Joe Stepanich) and by my uncle Frank Bambick in 1911, it eventually, over a period of nearly 100 years, grew to the size of about 500 acres. When dad died in 1957, my brother Ed got possession of the farm and held on to it until he died on January 30, 2010. Ed was number 6 of the Stepanich family of 9 children (6 boys, 3 girls). I am number 4. The only two others of the Stepanich family still living are John, number 8, and Fred, number 9.

Today, the Stepanich farm, owned for nearly 100 years by a Catholic family, is no longer the Stepanich farm, nor is it owned by Catholics. It has reportedly been sold twice already since Ed’s death, the larger part to a non-Catholic neighbor farmer to the north and west (Steve Mahaffey), the other part to a non-Catholic farmer to the east (Ed Carstedt).

To get back to earlier history of the Stepanich family – it was to Neodesha that we of the Stepanich family went for shopping and Sunday Mass and also to attend Neodesha high school, after finishing grade school at nearby Brooks country school.

There was no parish school for Catholics in Neodesha. During the earlier and middle 1920’s, we travelled by horse and buggy or by spring wagon, then by a black model T Ford (which dad bought brand new for \$400), and then a green model A Ford. Gasoline in those days cost us a whole 5c a gallon.

The horse and buggy and spring wagon came in very handy for mama, who had plenty of garden products and also chickens to sell in Neodesha, thereby making enough money to help buy much of what was needed. And dad, a professional butcher, helped even more by going to Neodesha twice a week to do butchering and meat processing for Neodesha’s Simpson and Bonnell meat market. But dad chose to travel by foot, walking 7 miles along the Frisco railroad tracks to Neodesha after midnight, then returning home late in the afternoon. He did his farming, with horses,

the remaining week days.

What was very important for fostering two religious and one priestly vocation in the Stepanich family was the Catholic atmosphere that was maintained in the family. My sister Agnes (we called her Aggie, but mama pronounced it Eggie), two years older than I, became Sister Susanne with the Slovene Franciscan Sisters of Mount Assisi Convent east of Lemont, Illinois, in 1929. She had used to say to me, "I am going to be a Sister and you are going to be a priest."

I went to Neodesha High School for the freshman year (1929-30), then transferred to the Slovene Franciscan Fathers of Lemont in 1930, and they sent me to the Franciscan St. Joseph College, Westmont, Illinois, 15 miles north of Lemont, for 4 years. Then I entered the Franciscan Order with Lemont's Slovene Franciscan Fathers on September 2, 1934, taking the name Martin as my religious name, in honor of St. Therese Martin, the Little Flower. And then, after 2 years of philosophy and 4 years of theology, I became Father Martin, and that is what I am always called among Franciscans and the lay people with whom I and the other Fathers work. At home, I had always been called Frank, having been baptized Francis. My aunt Jennie Bambick, mama's older sister, always said "Frankie," but she pronounced it as if it were spelled "Frenki," and she rolled the r.

It is amazing beyond words how God goes about choosing His candidates for the priesthood. Actually, no man is really worthy enough to be a priest, but that is no problem for God, who can and has countless times elevated lowly men to the sublime height of the priesthood of Jesus Christ, the Eternal High Priest.

Just take a look at Our Lord's first priests, the Apostles. From reading the Gospels we learn of what difficulties Jesus had in getting them to understand fully what He was doing in establishing His Church, His Kingdom of God on earth, and what He wanted them to be. He did not hesitate to scold them for their backwardness and lack of comprehension, and for their lack of sufficient faith in Him. But Jesus knew what to do with them. He had them totally transformed into what

He wanted them to be by sending the Holy Ghost upon them.

And how could that Church-persecuting terrorist named Saul of Tarsus have ever been fit for the priesthood? But Jesus made him fit for the priesthood. Near Damascus in Syria, Jesus booted proud Saul off his high horse, and that was the end of the evil Saul and the beginning of Saint Paul, the great Apostle of the Gentiles.

All through the centuries since then, God has continued choosing those He wanted for the Catholic priesthood. Some young men have given early signs of a priestly vocation, so that sometimes people would say, "He's cut out to be a priest," while others have given no indication at first that they would be fit for the priesthood. In any case, it was always God who did the choosing, As Jesus told the Apostles very plainly, "You have not chosen Me, but I have chosen you" (John 15.16).

So it wasn't really a surprise that God went looking (so to speak) for a future priest on dad's southeast Kansas farm, in the land of coyotes and jack rabbits and civet cats, the land of sunflowers and cockle burrs and osage orange hedge balls. It was there that God found a young nobody named Frank (yes, "Frenki," as Aunt Jennie would say) working for dad in the midst of plenty of Kansas dirt and dust and dung. Frank learned to work the fields and bring in the crops, and also milk the cows, while helping mama in the garden as well. His favorite among the farm animals was mama's incomparable fried chicken.

Anyway, in Frank were literally fulfilled these words of Psalm 112 (*Laudate Pueri Dominum* in Latin): "He raises the needy *from the dust*, and the wretched *from the dung-hill*, that He may seat him with princes, even with the princes of His own chosen people."

Were there any prophetic indications that maybe such a Kansas farm boy had a vocation to the priesthood? To mention it once again, Aggie did like to say to Frank, "I'm going to be a Sister and you are going to be a priest." And Frank would on occasion play the game of "offering mass," the way he saw Father Reinschmidt doing it. He would lay a wide

board across two chairs, and that was his altar. His younger brothers, Hank and Ed, would “serve” the “mass.” “Father” Frank would even pretend to preach a bit of a “sermon,” warning Hank and Ed to stop being bad boys, but to be good boys.

Taking turns, with other parish boys, in serving Father Reinschmidt’s Sunday Masses was also a big help in fostering a priestly vocation. Since there was no parish school at Neodesha’s St. Ignatius Church, catechism classes were held after Sunday Masses. Some of the parish women helped in teaching catechism. One of them – Nora V. – had trouble pronouncing “Extreme Unction,” and managed only to say “Extre Unction” instead. But that didn’t spoil Frank’s vocation. Another big help was the annual two-week “religious vacation school” in early June, conducted by Sisters of Charity from Wichita.

Late in the 1920’s, the time came for making a definite decision about going to study for the priesthood. To test Frank’s vocation, dad and mama insisted that he go to Neodesha High School for the 1929-30 freshman year. But that didn’t snuff out his vocation. So, a decision had to be made as to where to go for early seminary training. Father Reinschmidt understandably urged Frank to become a secular priest like himself. And the Canon City, Colorado, Benedictine Monastery, where Slovene Father Cyril Zupan, O.S.B., was a prominent monk, also received some consideration.

But the final decision was for going to the Slovene Franciscan Monastery, known as St. Mary’s Seminary, east of Lemont, Illinois. The deciding factor was the Slovene language monthly Ave Maria magazine that made us fairly well acquainted with the Lemont monastery. So, in September, 1930, dad and I made the long tiresome trip by bus, going up to Kansas City, then over to St. Louis, and then up north to Chicago, and finally 20 miles west of Chicago to Lemont.

After 4 years of preparatory seminary training, Frank Stepanich formally entered the Franciscan Order at St. Mary’s Seminary, Lemont, on September 2, 1934, taking the

name Martin as his new religious name, in honor of St. Therese Martin, the Little Flower. His folks mistakenly thought that he chose the name Martin because of Uncle Martin Kolbezen in Pueblo, Colorado. Finally, after completing Seminary studies in philosophy and theology, *Friar* Martin became *Father* Martin on May 18, 1941. Deo Grac-tias!

It should be mentioned here that the recent 70th anniversary Mass here in our Bolingbrook house was a High Mass. Fellow Franciscan Father Francis Miller, from Lafayette, Louisiana, came and suggested that it be a High Mass. And it was, a Gregorian Chant High Mass.

* * * *

With my daily prayers for all of you, and with my blessing,
most gratefully,

Father Martin Stepanich, O.F.M., S.T.D.

AN SSPX DEAL: BUT WILL THE FAT LADY SING?

Rev. Anthony Cekada

April 19, 2012

"The opera ain't over till the fat lady sings."

- George H.W. Bush

Our former president's allusion to Wagner's interminable four-opera "Ring Cycle," which ends after fourteen confusing hours with a well-upholstered soprano howling a ten-minute aria, comes to mind now in mid-April 2012, when the press and the trad blogosphere is abuzz with talk of an impending deal between the Vatican and the Society of St. Pius X (SSPX).



The on-again, off-again negotiations over integrating SSPX into the Conciliar Church (Abp. Lefebvre's term, please note) appear to be heading towards a final act: SSPX's Superior General, Bishop Bernard Fellay, it is said, will sign a Doctrinal Preamble, making various doctrinal concessions regarding the teaching of Vatican II. In return, the Vatican will grant SSPX some sort of special canonical status.

Everyone seems to think this is virtually a done deal.

And yet, and yet... no fat lady.

For while Father Federico Lombardi, head of the Holy See's Press Office, confirmed receiving Bp. Fellay's response and called it "encouraging," he said nevertheless that it contained "the addition of some details or integrations." These would have to be examined by the Vatican's Congregation for the Doctrine of the Faith (CDF) and by Benedict XVI himself before any decision could be reached, he said, adding "I think the wait will not be long because there is the desire to reach a conclusion in these discussions."

On the other side, an April 18 communiqué from SSPX headquarters in Menzingen, Switzerland says that while the media are announcing that the doctrinal question between the Holy See and SSPX is now resolved, “the reality is different.”

After mentioning that Bp. Fellay’s response will indeed be examined by the CDF and Benedict XVI, the SSPX communiqué concludes by saying, **“This is therefore a stage and not a conclusion.”**

So, the matter of the Doctrinal Preamble is still up in the air.

But even if the parties agree on the **doctrinal** question in the next few weeks, the **canonical** arrangement for SSPX, the press reported, will still need to be settled.

The discussion could get very complicated. Over the course of nearly forty years, SSPX has set up a worldwide hierarchy and a string of institutions parallel to and indeed in opposition to those of the Conciliar Church. Their existence and operation would somehow have to be brought into line with the 1983 Code of Canon Law.

SSPX would undoubtedly want to retain the ability to continue to do whatever it wants, whenever it wants, anywhere in the world. Benedict XVI, obviously, could not allow this.

Looming over this discussion, moreover, would be the principle laid down in Canon 1256 (1983 Code). This would give Benedict and his successors the trump card to control SSPX’s institutions, because it provides that **property ownership is “under the supreme authority of the Roman Pontiff.”**

So, if Bp. Fellay wanted to reignite his “We resist you to your face”/Paul-reproving-Peter routine one day against Benedict XVI or his successors, he would wind up doing so from the sidewalk outside his former residence in Menzingen.

It would not be difficult, therefore, to envision SSPX and the Vatican agreeing on an ambiguous (and therefore mutually satisfactory) **doctrinal** formulation in the next few weeks, but then failing to agree on the details of a **canonical** arrangement to SSPX’s liking.

It was on this level, after all, that the May 5, 1988 accord Archbishop Lefebvre signed with Cardinal Ratzinger supposedly went sour, and prompted the archbishop to “unsign” the agreement the next day. (A few maintained, however, that the turnaround was due to the influence of Lefebvre’s sister, Mother Marie Gabrielle, a formidable lady – albeit thin – sometimes slyly referred to as “Her Excellency.”)

When you take all these factors into consideration, a global integration of SSPX into the Conciliar Church is by no means a sure bet at this moment.

The latest installment could wind up being merely one more scene in the ongoing opera of SSPX/Rome “negotiations” – an “Archbishop’s Ring Cycle” that has been playing since the suppression of SSPX nearly **forty years** ago.

Newcomers to the traditionalist cause, perhaps understandably, find the drama quite riveting: What *will* Bp. Fellay do now? Will “Rome” make a wily counteroffer? Will SSPX hold together? Will



The Protocol: Signing – then “un-signing”

evil cardinals conspire to frustrate the will of our beloved Holy Father, that Rottweiler of Orthodoxy? Will the Hero-Prelate and anti-Wagnerian, Bp. Richard Williamson, sing to Fellay’s score? Will the united-but-not-absorbed SSPX be the new Jesuits who will convert the Novus Ordo Church from its modernism?

But old-timers in the trad movement like me have seen *this* Ring go round and round for decades: the Roman visitation and suppression in ’74, Lefebvre’s battles and kangaroo trial at the Vatican in ’75-76, the Nuncio delivering letters and notices of suspension by limousine in ’76-77, a cardinal appearing in the Ecône courtyard with the ex-President of Senegal as his chauffeur, the “bastard rites” sermon at Lille, innumerable Lefebvre conferences to seminarians on “Rome,”

the bear hug from JP2 in '78, "Let us make an experiment in tradition," the "official" Church vs. the "real" Church, "sifting" the magisterium to find "Tradition," '80-83 negotiations with Ratzinger, Lefebvre's "anti-Christ" and near-sedevacantist pronouncements in '88, more negotiations, May 5, 1988 accord signed with Ratzinger and repudiated the next day, more negotiations, episcopal consecrations, "Operation Survival," excommunications, negotiations to get Lefebvre to reconcile before his death in 1991, two more decades of back-and-forth Vatican negotiations under Schmidberger and Fellay, excommunications lifted, Fellay "preconditions," Fellay saying he'll "run to Rome if the Holy Father calls," Roman pilgrimages with cardinalial lunches, smiling Apostolic Palace photo-ops with Benedict XVI, hot-cold contradictory statements from Fellay for several years, and then the latest.

Forty years, and the fat lady never sings.

But in all this, as with many operas, when you step back from the particular dramatic incidents and closely study the libretto, you encounter absurdities. And the theological absurdities that eventually wound up driving the SSPX negotiation drama should make any thoughtful Catholic cringe.

First, a real Catholic does not **negotiate** with the Roman Pontiff – he **submits** to the Roman Pontiff. It is an **article of faith** that this is necessary for salvation.

Yet Archbishop Lefebvre and SSPX's whole, grand, forty-year spectacle of resistance and negotiation renders that article of faith utterly and completely hollow in the practical order.

Second, Abp. Lefebvre and SSPX never really answered the key question: **Is Vatican II and the whole Novus Ordo system (doctrine, discipline and worship) Catholic?** Some things they said and did would lead you to conclude Vatican II *was* Catholic, while other things they said and did led to the opposite conclusion.

It was a course of pure praxis, attended by theological zigzagging, jury-rigged to justify the desired result of the moment. If Paul VI suspended you, you could talk about

heretical popes losing their office. If John Paul II received you warmly, SSPX could not tolerate among its members those who said the pope was not the pope. If the pope was willing to allow you to consecrate a bishop, he was “Most Holy Father.” If not, he was an “anti-Christ.”

The ideal SSPX member followed the Society’s position *du jour*, ignored the successive contradictions, and generally, did not think. Hardliner and soft-liners might come and go, but in the Society the only long-term survivors were the “flat-liners.”

Bishop Fellay’s latest statement about his demands to the Vatican (4/16), reported by Andrea Tornielli, fits perfectly into this incoherent world. He asks that:

- 1) “no concessions be asked from the Society that touch upon the faith and that which derived from it (liturgy, sacraments, morals and discipline)” – implying that the Roman Pontiff would force SSPX to adhere to teachings and practices imposed elsewhere in the Church, but which are harmful to the faith.
- 2) “that a true freedom and autonomy of action be granted to [the Society of] St. Pius, which would allow it to grow and develop” – implying that adherence to universal discipline of the Church would compromise point (1)

“How to interpret this message of the Lefebvrist superior?” Tornielli asks.

Indeed, Mr. Tornielli! Good luck trying to square it with standard, pre-Vatican II theology on the indefectibility of the Church, the infallibility of her universal disciplinary laws, and the need for the salvation of every human creature to be subject to the Roman Pontiff!

For while Jesuits take a fourth vow to *obey* the Roman Pontiff, SSPX-ers seem to have taken a fourth vow to *negotiate* with him.

Naturally, there will be the tendency on the part of some to dismiss all the foregoing as sedevacantist sour grapes.

Far from it. An SSPX deal that officially integrated the whole outfit into the Conciliar Church would draw an unmistakably clear theological line on the issue of accepting or rejecting Vatican II. This I would regard as a positive development.

Moreover, as with my critique of the reformed liturgy, my comments about SSPX are based ultimately upon the truths of the Catholic faith I learned in my youth: The Church of Jesus Christ gives only what is true and good, never evil and error, and that no Catholic can be truly such unless he submits to the pope.

Nothing "sedevacantist" to see there, folks, so please move on.

That said, what advice to give in summing up?

Onlookers should be wary of sitting forward on their wicker chairs and becoming enraptured by the latest dramatic arias in the SSPX/Rome negotiation opera.

Bp. Fellay may *not* sign the Doctrinal Preamble, or he *may* sign it, and "unsign" it the next day. Or he may sign the Doctrinal Preamble, but then come a cropper over a hundred different *canonical* issues about how the Society will have to operate. Or he may sign the canonical protocol, and then repudiate it the next day. Or he may wait five years until provisional statutes imposed by Rome on SSPX expire, and then take back everything.

The point is that however this particular episode turns out, we should not get too excited over the drama. *Anything* is possible with SSPX, because its mode of operation for nearly four decades has been praxis without principle.

So if at the end of this latest act, the fat lady *does* seem to sing, the pyre is lit, the stallion rears up, modernist Valhalla burns in the distance, and the Swiss Rhone (rather than the German Rhine) overflows into the Tiber, don't be too surprised if the curtain rises for yet another act!

THE LEADER IS ALWAYS RIGHT! FELLAY, IL DUCE, AND THE SSPX DEAL

Rev. Anthony Cekada

May 7, 2012

In the face of what looks more and more to be an impending deal between SSPX and the Vatican, observation of an English traditionalist on the *Ignis Ardens* forum speaks volumes about the mentality of the rank-and-file SSPX priest:

In London today (May 6, 2012), the priest from the pulpit expressed very frankly **how dismayed and “disappointed” he was that the position of the SSPX has been changed without any of its priests being informed.** From another large English Mass centre I hear the priest there addressed the issue similarly.

For them, the key question for resolving any controversy is not **“What does CATHOLIC THEOLOGY teach?”**, but **“What is THE POSITION OF THE SOCIETY?”**

NO THINKING, PLEASE, WE'RE SSPX!

Generations of SSPX priests have been imbued with this mentality, and indeed, it was one of the main bones of contention in our own conflict with Abp. Lefebvre in 1983. On any given topic, at any given moment, SSPX priests were always supposed to adhere to and to preach the “position of the Society” – no matter how much it contradicted the principles of logic and Catholic theology, and no matter whether it directly contradicted an EARLIER “position of the Society” or Abp. Lefebvre.

The then-Father Donald Sanborn, former SSPX U.S. seminary rector, wrote two excellent articles about this, “The Crux of the Matter” (1984) and “Mountains of Gelboë” (1994).

His central insight: While among SSPX priests there have always been hardliners and soft-liners on the question of “Rome,” the only TRUE SSPX priest-members are those who do not THINK. They let +Lefebvre and now +Fellay do

the thinking for them.

The then-Fr. Williamson was a perfect example of this mentality. During the '83 controversy, he supported Abp. Lefebvre's position (then!) that the new rite of priestly ordination was VALID. But the next year Fr. Williamson wrote that if the Archbishop changed his mind one day and said the rite was INVALID, then he would then be obliged to say it was invalid as well!

"Il Duce ha sempre ragione!" Mussolini's party members said: The leader is always right!

THE 88 DEAL/NON-DEAL

Another personal anecdote will illustrate the point.

The big SSPX controversy of '88 was whether Abp. Lefebvre would sign an accord with the Vatican to obtain recognition, or whether he would consecrate bishops and incur excommunication. Just like today, contradictory reports constantly flew back and forth, speculations by the laity abounded, and Abp. Lefebvre issued a stream of statements espousing directly contradictory positions. You never knew WHAT was going to happen.

In October 1988, after the consecrations, Fr. Dolan and I were visiting London and invited our former Ecône classmate, then the SSPX UK District Superior, to dine with us at the Goring, near Victoria Station.

Talk turned to the consecrations. He volunteered that after a long period of gearing up people for the May 5, 1988 Lefebvre-Ratzinger accord, he didn't know WHAT to think when Lefebvre renounced it the next day. Nor did he know WHAT to think during the next few weeks when there was much going back and forth over whether the consecrations would proceed.

But once he received word that the consecrations would actually proceed in June, he was absolutely fine with that, too, even though he had been promoting the accord only a few weeks before. He then knew what to think!

(Since he was a Scot, I will note that there was at least

ONE matter he wanted settled in advance: Who was paying for the meal. Looking at the menu after Fr. Dolan had ordered the snails, he inquired, "Now you DID invite ME, didn't you?")

AND NOW?

A raft of statements from higher SSPX functionaries like Frs. Schmidberger, Rostand, Wailliez, Simoulin and Pfluger have been aimed at propagandizing the laity to accept SSPX's full integration into the Conciliar Church.

If the reaction on the internet forums is any indication, however, many lay SSPX followers are not buying the deal SSPX is selling. Fr. Pfluger's comments in particular have been regarded as an insult to the laity's intelligence.

Some laymen who are upset over the current SSPX party line think, or perhaps even hope, that, in the event of a deal, a large percentage of the lower SSPX clergy will see it as a sell-out, and promptly bail out.

For the foregoing reasons, I don't see this happening. You survive in SSPX if you follow the party line wherever it may lead, and wherever it may have been the day before. Such is not the mentality of those who would lead a "new traditionalist resistance," this time against SSPX.

So most SSPX priests, after an initial period of not knowing exactly WHAT to think, will, like my Scottish classmate, go along with whatever decision the SSPX Superior General imposes because, as current Prophet, Seer and Revelator of Menzingen, he alone can discern whatever would have been "the REAL attitude of Monsigneur Lefebvre" in this situation.

But how, the laity may ask, can SSPX possibly justify full integration and absorption into what +Lefebvre called the "Conciliar Church"? Isn't there some principle at work here?

Yes, there is, and any SSPX member must follow it: "Il Duce sempre ha ragione!" Our leader is always right!

BISHOP FELLAY, THE THREE AND THE SSPX DEAL: A PRELIMINARY ANALYSIS

Rev. Anthony Cekada

May 10, 2012

The exchange of letters in April 2012 between three SSPX bishops (Bernard Tissier de Mallerais, Richard Williamson and Alfonso de Galarreta, April 7, 2012) and SSPX Superior General Bernard Fellay (April 14, 2012) over whether SSPX should accept a Vatican offer to be integrated into the Conciliar Church represents a fascinating twist in the ongoing drama of the Society of St. Pius X's negotiations with "Rome."

The three bishops, consecrated together with Bp. Fellay by Archbishop Marcel Lefebvre in 1988, wrote to Bp. Fellay in order to express their grave reservations about the accord he was in the process of negotiating with the Vatican over the Society's status. The letter of "The Three" (the French are big on designating groups of individuals with a number) was leaked on May 8, shortly followed by Bp. Fellay's response.

The two documents have caused intense speculation and heated discussion on the Internet. Here are some of my preliminary thoughts.

THE LETTER OF THE THREE

"The Three" make a number of excellent points in their letter, in particular:

- 1) They nail exactly how an SSPX integration without a doctrinal accord would fit into the Ratzingerian ecclesiology, which allows for "union" among those who do not profess the same doctrine. This is the "Frankenchurch" heresy.
- 2) They "call out" Benedict XVI's subjectivism – a topic that +Tissier analyzed in great detail, and that +Williamson repeatedly addressed in a popular and easily comprehensible way.

- 3) They also nail the practical effect an SSPX integration would have in the long run – gradual (or perhaps not-so-gradual) absorption on the level of apostolate and theology.

BP. FELLAY'S RESPONSE

Bp. Fellay's response is noteworthy because:

- 1) It demonstrates, I think, that +Fellay is determined to do the deal with or without "The Three."
- 2) It in effect explains why so much of the SSPX senior management has been thumping the drum for the deal. +Fellay needed to show B16 that he has the support of the people who actually CONTROL the organization.
- 3) He makes it very clear that as Superior General he does indeed control the organization, that this was what +Lefebvre wanted, and that by that standard, they are out of line.
- 4) He more or less recapitulates standard ecclesiology on the need to submit to the Roman Pontiff, and rubs their noses in it by hinting that what they say makes them (gasp) SED* & @ # @ N + ! STS. (This is a cheap shot at them; fat chance!)
- 5) His response to The Three's warnings about absorption and compromise tells me he is either disingenuous or clueless.

Both sides, predictably, trade quotes from +Lefebvre to back up their respective positions. No surprise there, as I've pointed out.

CAN +FELLAY SELL THE VATICAN ON A ONE-MAN SHOW?

How could this rather fundamental dispute play out from the Vatican's perspective? Obviously, they would want to get all FOUR bishops on board for the deal in order to end what

they see as a schism.

To allay the Vatican's fears, +Fellay could pitch the deal to them more or less as follows:

- I control the organization and the properties.
- The senior SSPX officials throughout the world, as you can see, all weighed in and support the deal.
- As my upper management and branch managers, I can count on them to keep the lower clergy in line.
- I can also count on them to pitch the deal to the laity through speeches, magazines, bulletins, etc.
- Realistically, The Three do not present much of a threat.
- +Williamson is compromised because of the Jews, etc. No confirmations by HIM, Your Holiness, in your old Bavarian backyard!
- + De Galarreta, as a Spaniard has no home constituency.
- +Tissier is the only threat because he would have considerable support in France. He is also extremely intelligent and has written extensively on modern theological errors.
- However, +Tissier is older, has a less-than-dynamic personality, and, since any of his French clergy supporters would be shut out of the properties SSPX would still control, he would have to conduct his apostolate in the meeting rooms of Sofitels (or whatever).
- In countries outside of France, the situation would be the same. Supporters of an SSPX "rump faction" would have no bases from which to operate, and in the face of our already existing parishes, etc. would find it virtually impossible to operate.
- Effectively, The Three would be marginalized and would pose no threat whatsoever.
- Ergo, Your Holiness, let's do the deal.
- And pass the strudel.

* * * * *

Thus my initial reading of the exchange.

However things may finally turn out, though, you don't need the gift of prophecy to predict that for traders, the rest of May 2012 will be very interesting indeed!

SAVED BY CONTEXT? THE '68 RITE OF EPISCOPAL CONSECRATION

Rev. Anthony Cekada

June 21, 2012

QUESTION: *Like you, I believe the Conciliar rite of episcopal consecration to be invalid, and that this invalidity is amply supported by your two articles. However, an acquaintance of mine... said the following, [after quoting for me ¶¶ 26-27 of the rite]*

“Sorry guys. I can no longer consider this rite invalid, at least not materially.”

“The prayer of consecration itself, in its ENTIRETY clearly and univocally denotes the grace of the holy spirit, that this grace is the gift of the high priesthood, and that the rank of bishop is being conferred, with some of the particular powers of bishops mentioned: ‘Through the Spirit who gives the grace of high priesthood grant him **the power to... assign ministries as you have decreed, and to loose every bond by the authority which you gave to your apostles**’.”

“This, for me is earth shattering. There is absolutely no doubt as to the intention here. I agree Paul VI shouldn’t have changed it, but I mean, LOOK. It clearly spells out the role of a Catholic Bishop.”

Now, I personally disagree with his estimation of the rite’s intention. I see nothing of the consecration coinciding with the true rite, describing the faculties of a bishop, (to judge, interpret, consecrate, ordain, offer sacrifice, baptize or confirm). Can you perhaps comment on his concerns? I fear for his soul, should he be lost to the SSPX or, worse still, the Modernists.

RESPONSE: This is a variant of an objection to my lengthy 2006 article on the 1968 Rite of Episcopal Consecration, “Absolutely Null and Utterly Void,” that I have answered before, but perhaps not in sufficient detail. I will try to remedy that here.

Your friend's objection does not really concern **intention** (what the minister intends to do) but rather the **sacramental form** the minister pronounces: Does it say what it is required to say? And does it therefore "work"?

Assessing this objection hinges on the principle that Pius XII laid down in *Sacramentum Ordinis*: That the essential sacramental form for the conferral of the episcopacy must univocally signify its sacramental effects: (1) the power of the order being conferred (the Order of episcopacy) and (2) the grace of the Holy Ghost.

Your friend (and others) argue that, even though the short passage in the Prayer of Consecration that Paul VI designated as the essential sacramental form may not *specifically* mention the rank of the episcopacy, *other* language in the Prayer (high priesthood, power to assign ministries, loose every bond) clearly and univocally denotes that the rank of bishop is being conferred.

The **whole** Prayer of Consecration, in other words, makes up for seeming any lack of clarity in the essential sacramental form about the power of the Order being conferred, i.e., the episcopacy.

So what of this objection? At first glance, it may seem like a plausible argument for validity. It does not, however, withstand closer scrutiny.

I. OVERTHROWING A GENERAL PRINCIPLE

By proposing the **whole** Prayer of Consecration as a requisite for properly understanding the essential form, this argument overthrows the distinction in sacramental moral theology between the **words of the rite as a whole** and the **essential form**, which strictly speaking includes "only those words without which the sense of the sacramental sign cannot exist," and which are therefore required for validity.

A substantial defect in an essential sacramental form, however, cannot be rendered valid by the language that surrounds it, no matter how specific it may be. Two examples will illustrate the point.

A. Penance. Thus, while the Roman Ritual II.2 designates four prayers (*Misereatur, Indulgentiam, Dominus Noster, Passio Domini*) as the “Common Form of Absolution,” only the last sentence of the third prayer is considered the essential sacramental form: *I absolve you of your sins in the name of the Father, and of the Son, and of the Holy Ghost.*

If one of the requisite elements is omitted from the latter formula (*I, absolve, you or your sins*), the language in the surrounding prayers (forgive you your sins, grant you absolution, remission of sins) does not supply for or fix the omission. The formula is invalid, period.

B. Baptism. Here too, the texts that precede and follow the essential sacramental form (*I baptize you in the name of the Father, and of the Son, and of the Holy Ghost*) contain language that refers to new birth, *the bath where one is born anew*, calling to the font of Baptism, cleansing and sanctification, the grace of baptism, the will to receive baptism, new birth *by water and the Holy Ghost*, remission of all sins, and safeguarding of one’s baptism by a blameless life.

However, if I recite **all** these prayers but omit the word “baptize” or “you” when I pour the water, the baptism is invalid, because these words are **essential** elements of the form. It cannot signify without it. The context cannot remedy such omissions, and the rite is invalid, period.

II. A MISSING ELEMENT

Pius XII said that the essential form for Holy Orders must signify **both** the grace of the Holy Ghost **and** the order being conferred.

While the essential form Paul VI prescribed contains an expression (*spiritus principalis*) that can be construed as (among eleven other things) the grace of the Holy Ghost, the new form does not contain a second expression that could be construed as the Order of episcopacy.

So even assuming that phrases elsewhere in the Prayer (*high priesthood, power to assign ministries*) clearly connoted the Order of episcopacy, **the essential form itself lacks**

the requisite expression for the phrases to “clarify.” It simply isn’t there.

III. ADMISSION OF A SUBSTANTIAL DEFECT

Arguing that phrases elsewhere in the Prayer of Consecration must be adduced to clarify the essential sacramental form, moreover, is an admission that the latter is **not** univocal, and therefore defective.

Otherwise, why would one have to look **elsewhere** in the Prayer of Consecration to figure out what the essential form signifies?

IV. EQUIVOCAL QUALIFIERS

What of the particular expressions themselves? The sentence **following** the new form speaks (in a subordinate clause) of one “whom You [God] have chosen for the episcopate,” adding:

May he be a shepherd to your holy flock, and a **high priest** blameless in your sight, ministering to you night and day; may he always gain the blessing of your favor and offer the gifts of your holy Church. Through the Spirit who gives the grace of **high priesthood** grant him the **power to forgive sins as you have commanded, to assign ministries as you have decreed, and to loose every bond by the authority which you gave to your apostles.**

So even assuming for the sake of argument that another element is present in the Paul VI form to construe as the power of the Sacred Order of bishop, would the foregoing language indeed render that element univocal?

A. High Priesthood. The two expressions referring to high priesthood may at first look helpful to the argument for validity, but they do not in fact unequivocally connote the Sacred Order of bishop.

The reason is that Eastern Rite liturgies use similar language in non-sacramental rites to “consecrate” a Metropolitan

or a Patriarch. These prayers ask that the candidate serve *according to the order of the Great Highpriest*, that he is chosen as a *high priest over all Thy Church*, be a *faithful high priest over thy house*, he *function in the high priesthood*, etc.

But they do so for offices that are **jurisdictional**, not **sacramental**. So the expressions in the Paul VI Prayer of Consecration **cannot be univocal**, because they can be used to confer a non-sacramental office as well.

B. Enumerated Powers. Nor do the powers of the high priesthood enumerated after the new sacramental form unequivocally signify the Sacred Order of bishop.

- *To forgive sins.* This is a sacramental power that a priest also possesses.
- *Assign ministries* (or distribute “offices” or “gifts”). These acts **do not depend upon the sacramental powers of a bishop** but upon someone **receiving ordinary jurisdiction**. Again, a simple priest who received ordinary jurisdiction could “assign ministries.”
- *Loose every bond.* This, too, has nothing to do with sacramental powers, and depends only upon jurisdiction.

V. SIGNIFICANT OMISSIONS

Moreover, the non-episcopal powers enumerated in the Paul VI Prayer of Consecration and mentioned above in IV.B actually strengthen the case **against** validity. Why? Because of what they replace and omit.

The source given for the Paul VI Prayer of Consecration was the *Apostolic Tradition of Hippolytus*. Various reconstructions of this work, however, contain a petition to God that the candidate would receive “the power - - **to confer orders** according to your bidding” – a sacramental act proper to the Sacred Order of bishop.

In the Paul VI Prayer this has been replaced with assigning ministries or offices – a purely jurisdictional act.

That the omission was deliberate is clear from the Coptic Rite form for episcopal consecration, which Dom Botte, the principal author of the new rite, consulted to reconstruct the text of Hippolytus. The Coptic form further specifies after the phrase quoted above (to confer orders) that the bishop is to provide clergy *“for the priesthood - - to make new houses of prayer, and to consecrate altars.”*

None of this appears in the Paul VI Prayer of Consecration.

VI. REFUTED BY ITS RUBRICS

Finally, the rubrics for the Prayer of Consecration in the new rite prescribe that co-consecrating bishops recite **only** the essential form. The balance of the prayer, which contains the phrases referring to high priesthood, etc., is recited **by the principal consecrating bishop alone**.

To argue that the latter language is needed to “clarify” the form is to imply that the co-consecrating bishops omitted something necessary to the validity of the rite. (= The words they recited were not truly univocal.)

* * * * *

The “context” argument cannot therefore be used to maintain that the Paul VI form for episcopal consecration is valid. It overthrows a general principle of sacramental moral theology, it posits the existence of an expression in the sacramental form that is not in fact present (one connoting the power of Orders), it implicitly admits an essential defect, it is founded on expressions that are themselves equivocal, and it is undermined by omission of elements that in the *Apostolic Tradition* and the Coptic rite referred unequivocally to powers proper the Sacred Order of bishop. The rubrics of the new rite itself, moreover, reduce the context argument to absurdity.

If one could regard the Paul VI Rite of Episcopal Consecration as unquestionably valid according to the principles

of traditional Catholic sacramental moral theology, untold problems could be avoided.

But alas, it was not to be. The men who gave us the new rite also adhered to a new theology – and Catholics everywhere paid the price.

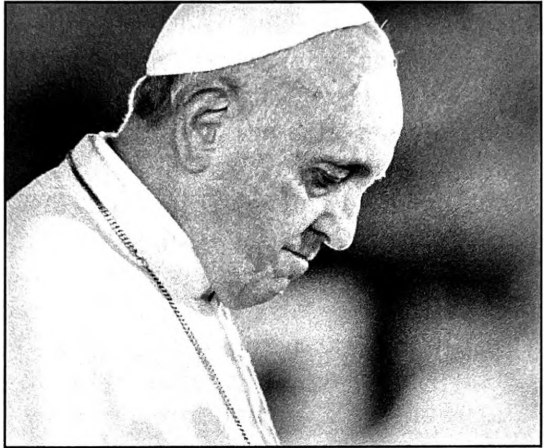
BERGOGLIO: TRASHING TRADS IS THE LEAST OF HIS PROGRAM

Rev. Anthony Cekada

October 23, 2013

During the past few days, trad internet forums have been abuzz over two shots that “Pope Francis” (Bergoglio) has taken against trads.

One was in his July 28 address in Rio to the coordinating committee of CELAM, the supra-regional episcopal



conference for South American and the Caribbean, in which he referred to trads (“restorationists”) as “Pelagians” (a term for a 4th-century heresy) who seek to solve problems in the Church “through the restoration of outdated manners and forms which, even on the cultural level, are no longer meaningful - - It seeks to ‘recover’ the lost past.”

The second shot came in the form of a Vatican decree for the Franciscan Friars of the Immaculate, an officially-approved group that has been taking advantage of Benedict XVI’s 2007 Motu Proprio permitting wide use of a form of the traditional Latin Mass. Priests in the group celebrated both the Novus Ordo and the pre-Vatican II Mass, but the overwhelming majority used the latter. The Vatican decreed that henceforth the Novus Ordo must be used and that **special permission would be required for using the old Missal**. The decree stated explicitly that its provisions had been personally approved by “the Holy Father Francis” himself.

But these interventions, dramatic though they be, have drawn the attention of traditionalists away from other, equally horrifying things that Bergoglio has been up to at the same time.

1. Sacraments to the Divorced and Remarried. In his news conference on the plane ride back to Rome, Francis hinted at the possibility of dumping the Catholic teaching and practice on giving sacraments to the divorced/remarried (i.e., adulterers):

Times have changed and the Church faces many problems - - I think the time for mercy has come as John Paul II predicted by introducing the Feast of Divine Mercy. Divorced people can take communion, it is those who have divorced and remarried that cannot. Here I must add that the orthodox follow the theology of economics and allow second marriages. When the commission of eight cardinals meets at the beginning of October we will discuss how to proceed. The Church is taking a very close look at pastoral initiatives for marriage. My predecessor in Buenos Aires, Cardinal Quarracino always used to say: "I consider half of today's marriages to be invalid because people get married without realising it means forever. They do it out of social convenience, etc..." **The issue of invalidity needs to be looked into as well.**

Note the last point. It's a hint that Bergoglio and company will try to weasel around the traditional Catholic teaching by cooking up a broad, new reason for declaring marriages invalid – "people these days don't realize that it's forever."

2. Praise for Charismatics. "Then I got to know them better and I was won over. I saw the work that they did and I said Mass for them in Buenos Aires every year. I think movements are necessary; they are a gift from the Holy Spirit. The Church is free; the Holy Spirit does what it wants."

This is an open license for allowing these nutty crypto-protestant groups not only to expand and continue to function, but also to do so without hierarchical supervision. Hey, it's the Holy Spirit.

3. Dumping the "Pope" Title. Already Bergoglio has dumped the title "pope" when signing documents (including his first encyclical), banished traditional papal titles from the main page in the Vatican yearbook (*Annuario Pontificio*), and repeatedly referred to himself in public as "Bishop of Rome."

Why has he done this? In his news conference on the plane back from Rio, he said, "Placing emphasis on the number one title, that is, Bishop of Rome, favours ecumenism."

You bet it does!

4. Trashing Papal Authority through "Synodality."

I predict that this is really the area to watch. Bergoglio has already hinted that he has an agenda for the institution of the papacy and church governance that is no less than revolutionary.

His CELAM speech laid out the principles for an ecclesiastical restructuring (at least in South America) along the lines of the '60s liberation theology/base communities initiative. It was loaded with leftist bromides about good pastors "following their flocks" which are led by the Holy Spirit, dialoguing, etc., etc.

In his press conference on the plane back to Rome, Bergoglio was asked about the commission of cardinals he had earlier appointed. "The ethos of the work being done by the commission of eight cardinals – it was important they came from outside – is that of **developing the relationship between synodality and primacy.**"

From these two comments, it seems that Francis intends to institute a radical overhaul of ecclesiastical institutions and the whole decision-making process in the Church.

The "synodality" language should be particularly scary. I think it portends "synods" of bishops (if not clergy and laity) on the international and national level that **will be given real legislative authority.** Francis has already praised the Orthodox schismatics for this set-up, and has alluded to the importance of "synodality" several times as a way of implementing Vatican II's teaching on collegiality.

Then the fun for the modernists will really begin. (Democratic synods are the voice of the Holy Spirit! We are Church. The voice of the People of God must be heard!) They couldn't pull this off in the '60s and '70s, but it looks like Bergoglio will give them another bite of the apple.

Bergoglio's disdain for the old Mass will look like nothing more than a sideshow, once he gets going on all this.

9/11 FOR THE MAGISTERIUM: THE FRANCIS INTERVIEWS

Rev. Anthony Cekada
October 24, 2013



No one who follows the religious or secular press is unaware of the firestorm that Bergoglio (“Pope Francis”) ignited with his recent press interviews and public letters.

Understandably, the discussion centered

on the meaning of Francis’ **particular** pronouncements (on atheism, proselytism, “judging,” conscience, no Catholic God, etc.) What in the world did this or that statement mean? How did it square up with previous Catholic teaching? Or did it at all?

Because each pronouncement seemed so surprising in itself, though, a larger question went mostly unasked: What, apart from Francis’ continuing popularity with the religious and secular left, will be the **long-term effect** of his recent statements as a whole?

This will inevitably be felt on the level of how the Church’s teaching authority is understood and perceived – and the consequences will be disastrous.

One can easily predict as much from the reaction of new-agey modernists like Richard Rohr who gleefully treated the Francis interviews as a watershed moment for the Church:

He has forever changed the Catholic conversation. We can never go completely backward. No one can ever say a validly elected pope, with all that implies in anyone’s mind, did not say the things Francis said in the interview published Thursday. **They**

will be quoted for a long time to come. It is now a part of the authoritative data, like the Gospels themselves, and must be reckoned with.

Seen in this light, the Francis interviews are nothing less than 9/11 for the Church's magisterium. In effect, they first turn it into a generator of gibberish which needs to be decoded, and then they destroy its very foundations.

To understand why, we must first look at what the magisterium is and what is the pope's role in it is supposed to be.

1. Magisterium = Teaching Functions

The imposing Latin term *magisterium* is really very easy to understand. In general, it just means "the function of instructing others."

The Church's teaching magisterium (= *docens*) is directed at imparting the knowledge of sound doctrine and good morals to all the faithful.

Now, in the minds of most Catholics, the word *magisterium* is automatically linked to the word **infallible**, as in something like, "The magisterium of the pope is infallible when he issues an *ex cathedra* definition about faith or morals."

The flip side of this, most Catholics conclude, is a principle that boils down to "No *ex cathedra*/infallible stamp, no obligation to believe."

But this idea is completely false, for in addition to *infallible* magisterium, a Catholic is also bound by what is called **authentic** magisterium. This is the way the pope *usually* teaches Catholic doctrine and moral principles.

It works this way: A pope has the "power and office to teach doctrine" and as a Catholic you have "the **obligation and the right to receive instruction.**" The teaching of a pope is authentic in the strict sense, "because of the authority of God's delegation that the teacher uses." You would therefore "**be bound to give it assent of the intellect,**" because his teaching authority is founded in "*a mission* re-

ceived from God, to which is attached *divine assistance*.” (Salaverri, *De Ecclesia* 1:503ff. His emphasis)

2. Francis’ Interview Magisterium

Obviously, the overwhelming number of Catholics in the world consider Francis to be a true pope. So for them, where would we situate his disturbing interviews and public letters in terms of the principles outlined in point 1?

Writers such as Carl Olson, who were appalled and embarrassed by many of Bergoglio’s statements, would respond: “Nowhere at all.” Papal interviews, he says, are “not magisterial in nature.”

Vatican press spokesman Fr. Federico Lombardi joked that the material “isn’t Denzinger” – a collection of papal and conciliar statements on faith and morals. Francis is merely “giving pastoral reflections” which must “be distinguished from an encyclical, for instance, or a post-synodal apostolic exhortation, which are magisterial documents.”

But what exactly was Bergoglio doing if not publicly *teaching* about doctrine and morals, and doing so *as pope*? And teaching is exactly what “magisterial” means. As for *pastoral*, the first duty of the Supreme Pastor is what? “Feed my lambs, feed my sheep” – with sound doctrine.

Veteran Vatican reporter Sandro Magister nails down exactly what Francis is doing in the headline of an October 7 piece: “Encyclicals Have a New Format: The Interview.” The point Magister develops is this: Where previous popes used encyclical letters to communicate doctrinal and moral teachings to the world, Francis has now chosen a new means more suited to the modern age: press interviews. These carry his teaching throughout the world through the wonders of 21st century technology. The interviews, Magister says, are “the first acts of this ‘magisterium’.”

An exaggeration, perhaps?

Not at all. A pope is not restricted to one particular format when exercising his authentic teaching authority. Popes always had an array of options to employ when add-

ressing doctrinal or moral questions: bulls, decrees, briefs, epistles, etc. They adopted the now-familiar encyclical letter only in the 18th century. In the 20th century, Pius XI and Pius XII added addresses and allocutions to the mix, and a good number of these did end up in Denzinger.

These different formats were merely various means that a pope used to teach. It was his choice.

There is therefore nothing to prevent a pope from using the web, press interviews or public letters to atheists to communicate his authentic teaching. The form of a communication does not create the obligation to assent. Rather, it is the fact that a pope is the “content provider” (as web-savvy types might say).

Indeed in January 2015, Bergoglio **himself** clearly stated that his public statements are “magisterium.”

I’m constantly making statements, giving homilies. That’s magisterium. That’s what I think, not what the media say that I think. Check it out; it’s very clear.

Those Catholics who regard Bergoglio as a true Successor of St. Peter are therefore not free to dismiss the content of his interviews and public letters as so much white noise. Rather, they must regard it as authentic teaching and consider themselves “**bound to give it assent of the intellect.**”

And it is here we begin to stare in horror at the effects of the first blow Francis has launched...

3. A Magisterium that Teaches Gibberish

To understand why, first recall how the Bergoglio interviews generated a seemingly endless stream of “What-the-pope-really-meant” articles in the Catholic press and blogosphere.

Novus Ordo Wire provides a lengthy list of the writers who felt compelled to weigh in: Fr. Dwight Longenecker (3 articles), Simcha Fisher, Jimmy Akin, Jeffrey Mirus, Elizabeth Scalia, Lalah Alexander, Jennifer Fitz, Joanne McPortland, Gerard Nadal, Thomas McDonald, Terry Nelson, Mary

Eberstadt, Stacy Trasancos, Kathy Schiffer, Joseph Shaw, Joseph Susanka, Christopher Orlet, Edward Mulholland, Mark Shea, Carl Olson, and of course, Fr. John Zuhlsdorf (at least 3 articles).

Whew!

A few of the article titles will demonstrate the level of confusion that Francis' comments provoked: "What Did the Pope Really Say?" "Francis Will be Misunderstood," "Getting Pope Francis Wrong," "I Am Too Sinful to Understand Pope Francis," "The Problem is US, Not Francis; The Pope is Moving in Mysterious Ways," and "The Good, the Baffling and the Unclear."

The writers engaged in an elaborate exegetical process that attempted to reconcile Francis' actual words with the established Catholic doctrines and moral principles that his words seemed to plainly contradict. And indeed, they had "a whole lot of 'splainin' to do."

The pain and the puzzlement of the writers is evident, as is that of their readers. Fr. Zuhlsdorf even begins one such article by saying, "My email is filled with notes from people who need to be talked off the ledge."

If we step back step back from the ledge and examine the whole process that Bergoglio's statements unleashed, what we see is this: A magisterium that no longer actually teaches.

Bergoglio, supposedly its authentic teacher, to whose teaching we are "bound to give assent of the intellect," publicly proclaims to the Universal Church doctrinal and moral principles which, on their face at least, contradict previous magisterial teachings. Private persons must then attempt to reconcile his teaching to previous teachings through an elaborate exegetical process.

We who are supposed to be *taught* by the authentic teacher must instead become gibberish decoders, wearing Joseph Smith-like spectacles to decipher the hieroglyphics he's handed us.

Thus the statements in the Bergoglio interviews and letters blow the very purpose of the magisterium – to teach – all to smithereens. No one can understand the teacher's mes-

sage!

This would disastrous enough. But certain of Bergoglio's statements combine to deliver a second attack in the form of a...

4. A Magisterium that Destroys Its Own Foundations

This becomes apparent when you group summaries of Bergoglio's outrageous statements under the general headings of either faith or morals.

(a) *Faith*: There is no Catholic God, doctrinal security exists no more, he who claims to have all the answers does not have God within him, proselytism is nonsense, atheists can go to heaven, etc.

These declarations blow away the meaning of the Creed, the nature of God, the possibility of arriving at doctrinal truths, the divine mission to convert others to those truths, and faith as a requirement for eternal salvation.

(b) *Morals*: Moral teachings (on the 6th and 9th commandments) are a disjointed multitude of doctrines that cannot be imposed insistently, one must not obsess about such matters (abortion, gay "marriage" and contraception), what is objectively adultery admits of a "pastoral solution," who am I to judge, each one has his own vision of good and evil, spiritual interference in personal life is impossible, etc.

These declarations portray mortal sins as trifles, castigate as "obsessed" those who say otherwise, trivialize adultery, reprove moral judgments, enthrone the conscience as autonomous and supreme, and effectively renounce the right of the magisterium to tell the individual conscience *anything*.

It takes no effort to derive the underlying principle here: **The magisterium of the Church can no longer deliver certitude about what to believe or how to act.**

Poof! The whole edifice of the magisterium crumbles, its foundations forever undermined by what Italian theologian Peter DeMarco calls Bergoglio's "relativistic slippage." Everything – everything – is subverted.

We will no doubt, occasionally hear Catholic-sounding Bergoglian pronouncements that seem to contradict the modernist Bergoglianisms we've mentioned here. Indeed, this is happening already. Don't obsess about abortions vs. aborted babies are "the face of Jesus." Proselytism is solemn nonsense vs. Mission Sunday is really a great thing. Rosaries are Pelagian vs. let's all remember that October is Rosary month.

Don't be fooled. All this is just part of the modernist shtick that St. Pius X exposed in *Pascendi*. Modernists can be devout sounding Catholics on one page and near-agnostics on the next. Once you've figured how to relativize dogma and turn it into intellectual mush, you can say just about anything.

In seven months, Bergoglio thus has stripped all the weapons from the perhaps 20% of souls in the post-Vatican II church who still cling to vestiges of the old religion's doctrinal and moral teachings. Henceforth, their objections to modernist doctrinal or moral outrages will be met with quotes from the "authentic teacher" about small-minded rules, obsessions, no doctrinal security, no Catholic God, triumphalism, restorationism, ideologies, etc. Rest assured that modernists like Fr. Rohr will indeed forever treat these pontifical dicta "as part of the authoritative data."

For my part, I now state that I no longer consider Jorge Bergoglio merely a heretic. He is an apostate because he adheres to a system that rejects the possibility of religious truth and the objective moral law.

Apostasy is indeed, as St. Pius X warned, the final product of the modernist system. But Jorge Bergoglio didn't get to be a modernist apostate by dint of his own efforts. He is a Vatican II product from top to bottom, and all his noxious and scandalous utterances against Catholic faith and morality are but the poisonous fruit of the seeds sown by that Robber Council.

There is a straight line from Vatican II's ecumenism, reli-

gious liberty and pagan sects as tools of the Holy Ghost to Bergoglio's no Catholic God, proselytism is nonsense, atheists go to heaven, I don't judge and each of us has his own vision of good and evil.

There are tens of thousands more Bergoglios out there, so in the long run there is really only one cure for the disease. Get rid of what really caused the infection in the first place: Vatican II.

And if you hesitate to take advice from a sedevacantist, remember, "even a broken clock is right twice a day."

Well, the time is now 10:28 AM – and the date is 9/11...

SGG YOUNG PERSON'S FIELD GUIDE TO POTENTIAL TRAD SPOUSES

Rev. Anthony Cekada

November 11, 2013

It isn't easy to be young and a traditional Catholic these days. Practicing the faith – and even just getting to Sunday Mass – requires a lot more effort and determination now than it did when I was growing up in the balmy pre-Vatican II era, and Mass was just a short bike ride away.








Then there is conflict among different traditionalist groups. While the average young Catholic pre-Vatican II encountered no doctrinal or disciplinary disagreements, and could safely go from one Latin Mass to another without worry and be left in complete peace, now he often encounters doctrinal problems and other types of disputes.

To this there is joined another acute problem: If I am serious about practicing my faith, how do I find a spouse who is likewise serious about the faith? How could the differences among various traditionalist groups affect my potential choices? Sometimes, too, young trads – and alas even many older ones! – wrongly believe that the only issue is “the Latin Mass.” Any group or priest that offers a Latin Mass is just fine.

But **“the Latin Mass” is not the whole story** because trads are in fact engaged in a battle against the **doctrinal errors of Vatican II** and the false pope and hierarchy who adhere to them. Our high school catechism teacher here at St. Gertrude the Great (SGG) asked me to speak to his students about the topic this past Sunday. To keep the issues and groups clear, I came up with a one-page chart as a “field guide.” Since the problem that occasioned it and the issues it addresses are of general interest to faithful Catholics, I decided to make it available here.



SGG Young Person's Field Guide to Potential Trad Spouses & Their Organizations "Goes to Latin Mass" is not the ONLY issue!!!

ISSUE	Why Important	SGG	SGG List 31 chapters	CMRI 47 chapters	SSPV Immaculate Conception	SSPX	Motu Proprio St. Peter Fraternity	Standard Novus Ordo
Valid Canon II: Accept it or not?	V2 caused all the problems in the Church. Was evil, heretical.	REJECT	REJECT	REJECT	REJECT	REJECT	ACCEPT	ACCEPT
Pope Is Francis a true pope or a false pope?	If there is a true pope, a Catholic must submit to him. If someone is heretic, can't be a true pope & we must reject him.	FALSE POPE because he's a heretic.	FALSE POPE because he's a heretic.	FALSE POPE because he's a heretic.	AFRAID to take public position on issue. 	"TRUE POPE!" 	"TRUE POPE!" 	"TRUE POPE!" 
Name in Canon: Put in or leave out of Canon of Mass name of false pope?	Must omit name, because putting it in recognizes a heretic as a real Catholic.	OMIT NAME of False Pope	OMIT NAME of False Pope	OMIT NAME of False Pope	OMIT NAME of False Pope	NAME False Pope 	NAME False Pope 	NAME False Pope 
Valid Ordination Source of their priests' Holy Orders	If invalid, their priests' sacraments are invalid (= don't work) & give no grace.	VALID Letheve, Thuc	VALID Letheve, Thuc	VALID Thuc	VALID Letheve, Mendez*	MOST VALID Letheve SOME INVALID Some priests ordained by "new rite" bishops	INVALID Priests ordained by "new rite" bishops	INVALID New rite priests ordained by "new rite" bishops
Effect on Family	Can marriage cause divisions in families? Between spouses?	N/A	NO PROBLEMS	NO PROBLEMS	HORRIBLE PROBLEMS. Treat SGG clergy as invalid, refuse sac, forbid sponsors, forbid attending SGG.	Sometimes, if potential spouse's family are really militant SSPX. But many are not.	Sometimes, if potential spouse's family are Novus Ordo conservatives.	Usually not. Novus type are very "militant" about their religion.
Join SGG? Do potential spouses ever join SGG?	Goal of religious accord within new family.	N/A	NO PROBLEMS	NO PROBLEMS	Occasionally. Many aren't convinced by ImCon policy but only observe it because social pressure. Others may come to SGG Masses when convenient.	Often. Some SSPX lay are sedes or not hostile to them.	Sometimes.	Frequently. Because by coming to SGG with a potential spouse they discover the true Catholic faith.

Rev. Anthony Calabro, 10 November 2013 www.fathercalabro.com www.SGGRenovators.com *A question still remains, also, about the 1990 Mendez ordination. See www.medicomass.org.

SGG, SGG Approved Chapels List, CMRI: Obviously, potential spouses from the chapels in the first three columns are on the proverbial same page as regards Vatican II, the false popes, and Holy Orders of priests in their chapels. They are all sedevacantist – that is, they believe the papal see is vacant. I've listed the numbers of chapels in these categories in order to show young people that their possibilities for encountering potential spouses is not limited to one local chapel. We at St. Gertrude the Great have taken the firm position that, since the post-Vatican II popes are heretics and therefore *false* popes, it is objectively a sin to participate in traditional Latin Masses that name them as *true* popes in the Canon of the Mass. Such Masses, sometimes called “*una cum* Masses” (from the Latin phrase used to insert the name of the false pope into the Canon) are offered by the Society of St. Pius X, certain independent traditional priests, SSPX affiliates, the Fraternity of St. Peter and others. Since you know and believe Francis is a *false* pope, you should not participate actively in a Mass that proclaims he is a *true* pope. For the sake of avoiding misunderstanding, I must note here that CMRI and other clergy on our approved chapels list disagree with this position, and see nothing wrong assisting at *una cum* Masses if nothing else is available. I even held that position at one time myself, but rather extensive research into the issues forced me to conclude otherwise.

SSPV, Immaculate Conception: Of all the groups on the list, this causes the most problems for our young people. The clergy of SSPV and Immaculate Conception (its affiliated Cincinnati-area chapel) regard clergy at the chapels listed in the first three columns as invalidly ordained, forbid attendance at our Masses, publicly refuse the sacraments to laymen who receive sacraments at these Masses, forbid SSPV laymen to be baptismal sponsors at such chapels, etc.

These policies, as you can imagine, caused great heartache and division in families, because SSPV and Immaculate Conception clergy insist that one side of a family in a marriage treat the religion of the *other* side of the family as non-

Catholic. In the case of one potential SGG/SSPV marriage, the local SSPV priest, Fr. William Jenkins, even insisted that I participate in a *public debate* with him over SSPV policies with the couple present. Some engagement party!

Nevertheless, many lay people who go to SSPV or Immaculate Conception simply do not believe what their priests say on these points, and observe the SSPV policy only because of social/familial pressure, school possibilities or mere geographical convenience. On a local level here in Cincinnati, in fact, many Immaculate Conception parishioners ignore the policy entirely, and assist at Mass or receive sacraments at St. Gertrude the Great whenever convenient. (A waggish priest at St. Gertrude's, who shall remain nameless, suggested that Fr. Jenkins might therefore consider running a courtesy shuttle over to SGG as a fundraiser.) In any event, a potential spouse from among the latter group who was willing to ignore the flack and to start going to Mass at a chapel in one of the first three columns would not therefore be a bad bet.

SSPX: While this organization recognizes the false Vatican II popes as true popes and some of its lay followers are militantly anti-sedevacantist, others are not and have no difficulty assisting at Mass at a sede chapel. In the case of a potential spouse, sometimes contact with sedevacantist clergy will lead a lay SSPX-er to examine the sedevacantist position more closely and embrace it. This will become more common, I think, once Bergoglio ("Pope Francis") really gets his revolutionary program into gear.

MOTU PROPRIO, FSSP: These refer to organizations that offer the "Latin Mass" under the aegis of the modernist hierarchy. A problem can arise if a potential spouse's family members are really militant anti-sedevacantists or "conservative" Novus Ordo "legalists." They would regard marriages in sedevacantist churches as invalid and "schismatic." Again, though, the contact of a potential spouse with sedevacantist clergy sometimes leads him to re-examine his

position. As with SSPXers, Bergoglio has offended many conservatives by his outrageous words and actions.

STANDARD NOVUS ORDO: The *Novus Ordo* does not recognize our sacraments at SGG as valid, treats any marriages that we perform as null, and routinely allows spouses married here or in one of our affiliated churches to marry again. On the other hand, since the nature of the new religion is decidedly indifferentist, potential spouses from this milieu are usually “non-militant.” Contact with a traditional Catholic from one of our chapels sometimes leads them to discover the true Catholic faith for the first time.

ADDITIONAL NOTES: First, one of my hopes in founding *TradCircle* was that it would become a social meeting site for young traditional Catholics and hopefully, future spouses. Though we had a number of marriages come from it, this has yet to happen on any large scale, probably because of the rather fragile ecosystem of social media sites. Perhaps we will still find a way of making *TradCircle* (or some other social media site) effectively achieve this end in the future.

Second, what we have said here is intended to address just *one* specific issue involved in choosing a potential spouse. There are many other important points for the young Catholic to ponder as well.

Finally, and most important of all: Since Catholic marriage is a sacrament and a means of sanctification established by God, agreement between spouses on religious principles will be the key to their success in the married life. In the matter of considering and choosing future spouses, however, I urge our young people to reject the temptation to soften or compromise the religious principles I have mentioned, should they take an interest in someone from a “Latin Mass” group that espouses questionable doctrinal ideas. Save compromise in marriage for the color of the wallpaper. When it comes to future spouses and your faith, seek instead to *convince* and *convert*. Your priests will be happy to help! St. Raphael, patron of future spouses, pray for us!

BERGOGLIO'S REVOLUTION: SIX KEY POINTS

Rev. Anthony Cekada

November 21, 2013

Immediately upon his election by the March 2013, Jorge Bergoglio ("Pope Francis") started signaling his intention to push the Vatican II revolution forward at warp speed. Where John Paul II and Benedict XVI were content to "make haste slowly" and generally willing to follow certain conventions in order to give the appearance of "continuity," Bergoglio most certainly is not.

At nine months, how stands the Bergoglio revolution? What are some of its main themes so far?

1. Diminish the Papacy

From the signs Francis gave during his first few days in office, Bishop Sanborn and I, based on our experience as survivors of the first post-Vatican II decade, predicted in a show on *Restoration Radio* the day after his election that one of his principal goals would be to diminish and undermine the traditional notion of the papacy.

And this is just what he has done, again and again, through words and symbolic gestures. He refuses to wear the traditional papal garb (mozetta, rochet and stole), rode on a bus with the cardinals, made a big to-do of personally paying his own hotel bill, abandoned the papal apartments for the Vatican hotel, tools around in a Ford or a junky Renault, removed all papal titles except "Bishop of Rome" from the main page of the papal yearbook, refused to attend a concert at which he was to have the place of honor, ostentatiously carries his own briefcase onto a plane, signs documents without employing the title "pope," incenses "hierarchical inferiors" in a false show of humility at an episcopal consecration, refuses to wear ornate liturgical vestments, shakes hands with puzzled Swiss Guards who are trying to salute

him, installs a beach ball and sweatshirt on the altar of the Basilica of S. Mary Major, wears a pectoral cross that looks like a beer can opener, dons funny hats and finally, even puts on a clown nose.

One or two of the foregoing one could perhaps dismiss as quirks. But since the customs and restrained papal persona that Bergoglio spurned were all rooted in one central idea – the dignity of the papal office due to its centrality in the life of the Church – his act of overthrowing them was necessarily a conscious and deliberate assault against the office, and of course, the dogmatic presuppositions behind it.

Diminishing the monarchical papacy goes hand in hand with his scheme to...

2. Empower Bishops' Synods as Engines of Revolution

As I pointed out in the post “Bergoglio: Trashing Traditions is the Least of His Program,” Bergoglio’s agenda included overhauling church legislation and governance through what he called “the relationship between synodality and primacy,” portending synods of bishops (if not clergy and laity) that would be given real legislative authority.

This was the great unrealized hope for all the ecclesiastical revolutionaries of Bergoglio’s generation – that Vatican II’s teaching on the collegiality of bishops could be parlayed into an array of international and national assemblies that would democratize the Church and seize power from the “imperial papacy.”

The international synods of bishops held so far since Vatican II have been non-events at which the participants merely rubber-stamped documents churned out by the Paul VI, JP2 or B16 Curia (papal bureaucracy).

This, one can be sure will not happen under Bergoglio who has made it amply clear that he detests the Curia, wants to decentralize church decision-making, and intends to “devolve” certain prerogatives to the bishops. He has decreed an “Extraordinary International Synod” for bishops to be held in October 2014, in advance of the Ordinary Synod

to be held in 2015. This two-step process, commentators say, will allow bishops to exchange proposals at the 2014 session and ratify them at the 2015 session.

While according to the 1983 Code of Canon Law, these synods do not have true legislative power, Bergoglio can change that all with the stroke of a pen, which is what I am betting he will do.

I also predict that Bergoglio will institute synods on a national level as well. JP2 clipped the wings of national bishops' conferences. Bergoglio, on the other hand, was a major player in CELAM, the radical Latin American bishops' conference. Indeed, he made a major policy address to the group on July 28 in Rio announcing his agenda for "synodality."

Once legislative power is allowed to devolve to national synods, the fireworks will really begin, because the hordes of laymen now employed as full-time administrators and decision makers at the grass roots level of Novus Ordo parishes and dioceses wield enormous influence and for the most part have adopted the modernist doctrinal and moral bromides.

3. Use Dialogue and Consultation to Undermine Moral Principles

Again, any '60s survivor recognizes the revolutionary's tactic of a call for "dialogue" or "consultation" on doctrinal or moral issues. It operates on the hidden principle that all sides in the "conversation" (another buzzword applied the same process), be they Pius XII or the Nuns on the Bus, have an equal right to have their ideas heard, and that through a happy synthesis, a new "truth" will evolve.

An important part of the revolutionary process is orchestrating popular pressure for change from below. So, as a lead up to the synod, whose theme is "Pastoral Challenges to the Family in the Context of Evangelization," the Vatican circulated a set of 38 questions to clergy and laity, soliciting opinions on "same-sex marriage," divorce/remarriage and contraception.

Gee, what do *you* think that nominal Catholics – who have

not been taught the essentials of Catholic doctrine or morality for fifty years, who live in a sex-drenched culture, who pop birth control pills like M&Ms, whose suburban parishes are run patriarchy-hating female commissars, who believe that everyone “means well,” whose pope has told them not “obsess” or “judge” – what do you think *their* answers to the questionnaire will be?

And then what will we be told? That their ideas are the voice of the People of God in whom the Holy Spirit works, thanks to the priesthood of their baptism, and it calls us to re-examine the harsh ideologies of the past in light of the new, merciful outlook of our beloved Holy Father Francis.

Modernists of the *National Catholic Reporter* stripe, who are battle-hardened '60s dialogue warriors, are smacking their lips over the possibilities.

4. Undermine the Certitude of the Magisterium's Teachings

This, I pointed out in “9/11 for the Magisterium: The Francis Interviews,” has been the aggregate effect of a whole array of Bergoglio's statements in sermons, interviews and public discourses.

No Catholic God, no doctrinal security, denouncing “dis-jointed” moral teachings, asserting that spiritual interference in personal life is impossible, who am I to judge, etc. – by these and similar pronouncements Bergoglio conveys a very simple message: The magisterium of the Church can no longer deliver certitude about what to believe or how to act.

The “left” in the Conciliar Church gets the message. Remarks like these from Bergoglio “will be quoted for a long time to come,” said Richard Rohr, and are now “a part of the authoritative data.”

The President of Italy also gets it, telling Francis publicly, “Thank you for having impressed us for the absence of any dogmatism, by leaving room for doubt.”

And the effects? Merely citing the headline of one recent article will suffice: “As Illinois house approves gay marriage,

Speaker Cites Pope Francis.” The Speaker, who identifies himself as a Catholic, “used the pope’s words to articulate his own reasons for supporting the bill.”

Expect more of this, lots more.

5. Throw the Occasional Bone to “the Right”

While the left understands the signals and the ecclesiastical revolution picks up speed, it is only prudent to throw an occasional bone to the dispirited conservatives.

So, Bergoglio utters the vague assertion that he’s a “faithful son of the Church” when it comes to moral teachings, Cardinal Müller writes a letter supposedly defending traditional discipline on sacraments to the divorced and remarried, Bergoglio’s incriminating interview with Scalfari disappears from the Vatican web site, “hasty, bureaucratic judgements” on annulments are criticized, “concerns” about Bergoglio’s supposed fear of being “misunderstood” are circulated, the Fraternity of St. Peter is offered anemic praise for catering to people’s “sensibility” towards the traditional Latin Mass, and Francis puts out a letter praising a writer who advocates “the hermeneutic of reform in continuity” (conservative reading) for Vatican II.

And the freshest bone: As reported by the *Rorate Cæli* blog, Bergoglio phoned the Italian traditionalist writer Mario Palmaro, who had been summarily fired by an Italian Catholic radio station after writing an article criticizing Bergoglio and who is now gravely ill.

Bergoglio offered Palmaro his sympathies, and added how “important” it had been for him to receive Palmaro’s criticisms.

Talk about a two-fer! First, a bone to the traditionalists – AND you get to diminish the papacy by saying criticisms of it are “important”!

These gestures cost revolutionaries like Bergoglio nothing. Since the process they follow is fuelled by dialogue between opposing ideas from which new “truths” will evolve, a few retro ideas merely season the mix.

Though some conservative apologists hype the rare traditional-sounding pronouncement ("This is huge!" Fr. Zuhlsdorf said of the "continuity" letter), their enthusiasm has a hollow and pro forma ring to it.

6. Bless Divorce by Raising the Bar for Matrimonial Consent

In his July interview on the plane back from Brazil, Bergoglio spoke at some length on the issue of giving sacraments to the divorced and remarried. A recent book by Paul Vallely reports that Bergoglio in fact did so when he was Archbishop of Buenos Aires. He has this idea on the brain, and it will be one of the main discussion topics for the forthcoming synods.

Catholic teaching has always been clear and is based on divine law: "Whom God hath joined together let no man put asunder." Accordingly, a Catholic who marries in the Church, divorces and then marries someone else cannot receive absolution in confession or Holy Communion. The reason is simple: the first marriage still exists, so the party who ignores this and remarries commits adultery.

Bergoglio's July interview shows how he will try to get around this.

The Church is taking a very close look at pastoral initiatives for marriage. My predecessor in Buenos Aires, Cardinal Quarracino always used to say: "I consider half of today's marriages to be invalid because people get married without realizing it means forever. They do it out of social convenience, etc..." **The issue of invalidity needs to be looked into as well.**

More tantalizing hints were offered recently by Cardinal Sean O'Malley of Boston, a member of Bergoglio's eight-man advisory council:

The Holy Father "wants us to find ways to help people in second marriages to return to the sacraments and be reconciled, and to see if the annulment process can be more user-friendly."

Adultery-friendly is probably more like it.

I think the path that Bergoglio will take to permit sacraments for the divorced and remarried will be to **redefine the criteria required for true matrimonial consent**. If you make the bar sufficiently high for (1) what a person contracting marriage is supposed to know and understand about the sacrament, and (2) the act of the will he is supposed to make, you can annul just about any Catholic marriage.

There have been other hints of this subsequently, and issue will be something to watch for in the lead up to next year's synod.

* * * * *

All this points to one conclusion: Our initial reading of Bergoglio was correct. He is intent on playing catch up for the '60s ideals and implementing at every level the Vatican II revolution.

SSPX BISHOPS ON BISHOPS AND “BISHOPS”

**Williamson on Dolan, Tissier on
“Neo” Bishops, Fellay on Both**

Rev. Anthony Cekada

November 28, 2013

Over the past few weeks, the topic of episcopal consecrations has come up several times. Bergoglio (“Pope Francis”) consecrated two bishops using the post-Vatican II rite; Bishop Daniel L. Dolan celebrates the twentieth anniversary of his episcopal consecration in the traditional rite on November 30; and in response to a number of inquiries, one of my earlier posts this month put together links to the several articles I’d written on the post-Vatican II Rite of Episcopal Consecration that Paul VI promulgated in 1968.

Many readers are not aware of the opinions the bishops of the Society of St. Pius X have held on these issues, so I thought I would provide some information here.

1. Bp. Williamson on Bp. Dolan’s Consecration

On November 30, 1993, Bishop Mark A. Pivarunas consecrated to the episcopacy Father Daniel L. Dolan, a priest ordained by SSPX founder Abp. Marcel Lefebvre. Bp. Pivarunas’s own episcopal orders derived from Abp. Pierre-Martin Ngô-dinh-Thuc, former archbishop of Huế, Vietnam. Since Bp. Dolan had started out in SSPX, there was a considerable amount of interest as to how one was to regard his consecration. Bp. Dolan was a sedevacantist and one of “the Nine” whom Abp. Lefebvre had expelled from the Society in April 1983, so he was not exactly on the organization’s most favored list. But apart from that, would he be a validly consecrated bishop or not?

A layman wrote to the Rector of the SSPX seminary in Winona MN, Bishop Richard N. Williamson to inquire, and sent him my 1992 study, “The Validity of the Thuc Consecrations.” On October 21, 1993, about five weeks before the consecration, Bp. Williamson replied as follows:

10-21-93

Dear Mr. Padula,

Thank you for this letter, as for the inkblot by
Fr. Lekada on the Three Consecrations which I had seen.

I think that Fr. Lekada's arguments are good

such that I agree with him and not with Fr. Kelly or
Fr. Jesperson as to the validity of the up-coming
consecration.

However, one must distinguish validity from
licitly, or lawfulness. A consecration can be valid, but unlawful
like eating a stolen apple. The eating is valid. It satisfies
my hunger, but if the apple was stolen then the eating is
unlawful.

Is the up-coming consecration lawful? Answer
if (a) the Consecrations operation of these priests is lawful and
if (b) they need a bishop imperatively, then the consecration
would be lawful.

But as for (a), these Consecrations priests are
not ordinary Traditional priests, they were Society of St.
Pius X priests who broke with Society of St. Pius X positions
to take up harsh and uncatholic positions out of line at
any rate with Archbishop Lefebvre's thinking. Yet the
future bishop on the flyer advertising his consecration
leads me to think there was no such split with the Archbishop.
Conclusion: the Consecrations priests' operation is doubtfully lawful.

As to (b), if their operation is doubtfully lawful,
then a consecration is at best doubtfully necessary.

Conclusion: however much it would interest
you to attend a consecration, you would best stay away
from a doubtfully Catholic occasion.

I hope this answers your question.

Sincerely yours in Christ, +Richard Williamson

Thank you for this letter, as [well as] for the booklet by Fr. Cekada on the Thuc Consecrations, which I had seen.

I think that Fr. Cekada's arguments are good, such that I agree with him and not with Fr. Kelly or Fr. Jenkins as to the VALIDITY of the up-coming consecration.

However, one must distinguish validity from liceity or lawfulness. A consecration can be valid, but unlawful, like eating a stolen apple. The eating is valid; it satisfies my hunger, but if the apple was stolen, then the eating is unlawful.

Is the up-coming consecration lawful? Answer: if (a) the Cincinnati operation of these priests is lawful, and if (b) they need a bishop imperatively, then the consecration would be lawful.

But as to (a), these Cincinnati priests are not ordinary traditional priests; they were Society of St. Pius X priests who broke with Society of St. Pius X positions to take up harsh and un-Catholic positions, out of line at any rate with Archbishop Lefebvre's thinking. Yet the future bishop on the flyer advertising his consecration leads one to think that there was no such split with the Archbishop. Conclusion: the Cincinnati priests' operation is doubtfully lawful.

As to (b), if their operation is doubtfully lawful, then a consecration is at best doubtfully necessary.

Conclusion: however much it would interest you to attend a consecration, you would best stay away from a doubtfully Catholic occasion.

I hope this answers your question.

Sincerely yours in Christ,
+ **Richard Williamson**

While one of the principles is vintage Williamson for that era and one which His Excellency has since abandoned (outside SSPX one is "doubtfully Catholic"), the main point is clear enough: One should regard Bp. Dolan's consecration as valid.

2. Bp. Tissier on Bishops Ordained in the New Rite

As I pointed out at the beginning of "Absolutely Null and Utterly Void," Abp. Lefebvre personally told me in the mid-70s that he regarded the 1968 Rite of Episcopal Consecra-

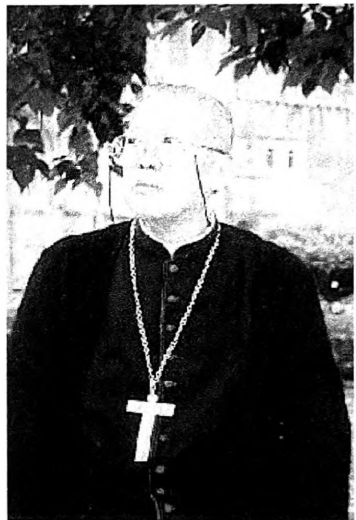
tion as invalid because of a change in its essential sacramental form (=the one necessary phrase in a rite that makes it “work”).

By 1982, however, once Lefebvre undertaken another of his periodic bouts of negotiation with the Vatican, he changed his position, apparently under the impression that Paul VI form was used in the Eastern Rites, and therefore unquestionably valid. (The basis for his impression, it seems, was a “study” by Fr. Franz Schmidberger, who favored reconciling with John Paul II. According to a seminarian who later asked to read the study, it turned out to be nothing more than a single page in a folder!)

Surprisingly, it seems that no one in the traditionalist movement had attempted to analyze the new rite in any great detail until Rama Coomaraswamy published his own study in the early 1990s. This focused on the phrase *spiritus principalis* in the essential form. What did it mean? Was it sufficient to signify the order of bishop, and thus effect the sacrament? Dr. Coomaraswamy concluded that it was not.

Even though Abp. Lefebvre had changed his position to favor validity and even though a bishop ordained in the new rite, Mgr. Salvador Lazo Lazo, had worked with the Society and confirmed under its auspices, some in the organization were now willing to consider the possibility that the new rite was doubtful or invalid – i.e. that it did not therefore make real bishops.

Someone passed Dr. Coomaraswamy’s study along to Bp. Bernard Tissier de Mallerais, who was then residing at SSPX headquarters in Menzingen Switzerland. In a August 12, 1998 letter, the bishop replied:



Salvador Lazo Lazo (1918-2000),
ordained in 1947 and consecrated
bishop in the new rite in 1970.

FRATERNITÉ SACERDOTALE

SAINT PIE X

Haus Maria Verkündigung

Schwandegg

CH 6313 MENZINGEN (ZG)

Tél : (41) 41 755 36 36

FAX : (41) 41 755 14 44

+ 12 août 1998

Cher

Merci de m'avoir envoyé copie de la plaquette du Dr. Rama Cosmaraswamy "Le drame anglican".

L'ayant lue rapidement, j'en conclus à un doute sur la validité des sacres épiscopaux conférés selon le rite de Paul VI.

Le "spiritum principalem" de la forme introduite par Paul VI n'est pas suffisamment clair en lui-même et les rites accessoires ne précisent pas sa signification dans un sens catholique.

Pour ce qui regarde Monseigneur Lazo, il nous serait difficile de lui expliquer ces choses ; la seule solution est de ne pas lui demander de confirmer ni d'ordonner.

Votre bien dévoué en Notre Seigneur Jésus-Christ.



+ Bernard Tissler de Mallerais

*P.S. Dernière minute, Mgr Lazo a déjà confirmé "par mail" des
nous ! c'est évidemment valide par le suppléant de l'épiscopat (can
209), puisque un simple prêtre confirme valablement avec
juridiction. Et on ne voit pas comment faire observer notre
doute à Mgr Lazo. Donc silence et discussion sur ce thème,
S.V.P. !*

Thank you for sending me a copy of Dr. Rama Coommarawamy's pamphlet "*Le Drame Anglican*."

After reading it quickly, I concluded there was a doubt about the validity of episcopal consecration conferred according to the rite of Paul VI.

The [phrase] "*spiritum principalem*" in the form introduced by Paul VI is not sufficiently clear in itself and the accessory rites do not specify its meaning in a Catholic sense.

As regards Mgr. Lazo, it would be difficult for us to explain these things to him; the only solution is not to ask him to confirm or ordain.

Yours very truly in Our Lord Jesus Christ,
+Bernard Tissier de Mallerais

PS: Another thought: Mgr. Lazo has already confirmed "quite a few" [people] with us. Obviously, this is valid because "the Church supplies" (canon 209), because a simple priest can confirm with jurisdiction. And it is difficult to see how to make our doubt known to Mgr. Lazo. So silence and discretion about this, please!

Bp. Tissier's letter was finally published in December, 2000, several months after Mgr. Lazo's death.

Here, once again, the conclusion is clear: Bp. Tissier believed that the new Rite of Episcopal Consecration was doubtful – which means that in the practical order, one must treat it as invalid.

3. Bp. Fellay on Bp. Dolan and Bishops Ordained in the New Rite

While both Bp. Williamson and Bp. Tissier based their judgements about the validity of the respective episcopal consecrations upon objective theological principles, the same, it appears, could not be said for Bp. Bernard Fellay, Superior General of SSPX since 1994. His main concern seems to have been political: What effect would SSPX's position on either issue (Abp. Thuc's episcopal consecrations or the new rite) have on the organization's dealings with modernists in the Vatican?

SSPX's negotiations with the Vatican for reintegration into the Conciliar Church had broken down in 1988, after Abp. Lefebvre was excommunicated for consecrating four bishops, including Fellay. During the course of an SSPX pilgrimage to Rome in 2000, Bp. Fellay managed to kickstart the negotiation process with the Vatican once again, and it was in with smoothing the way for a deal that the two "bishop-related" issues mentioned above would surface. This was especially so because Joseph Ratzinger, who had been elected by the March 2005 conclave and was very well disposed towards a deal with SSPX, had a personal stake in either issue.



Fr. Bruno Schaeffer, ordained by Abp. Thuc in 1981, and then worked for the SSPX in Paris, France.

A. Orders Derived from Abp. Thuc. In 1983 Ratzinger, then a cardinal and head of the Congregation for the Doctrine of the Faith, issued a notification excommunicating Abp. Thuc and several bishops he had consecrated in 1981, including Bp. Moises Carmona Rivera, through whom Bp. Dolan derives his episcopal orders. The decree, while avoiding the question of validity (a concept which the modernists detest), said that the Vatican would not recognize those ordained as bishops, and con-

sider them to be in whatever state they were before.

Since the document had been issued by the same Ratzinger with whom Fellay was negotiating in 2005, politics had to trump sacramental theology. Fellay therefore conditionally confirmed children who had earlier been confirmed by Bp. Dolan.

And in this, Fellay even out-Ratzingered Ratzinger, because, as we saw Bp. Tissier point out above, *even a priest*

can validly confirm using supplied jurisdiction in certain circumstances – a principle we were all taught in the SSPX seminary at Ecône, and even heard several times from Abp. Lefebvre himself.

When deal-making was not endangered, the SSPX attitude was far more elastic. Fr. Bruno Schaeffer, a priest ordained by Abp. Thuc around the time of the 1981 consecrations, worked with SSPX for several years without ever being required to submit to conditional ordination. Until his recent death, he offered Mass regularly in SSPX's principal church in Paris. He was also a sedevacantist, but here, too, yet another exception was made because, it is said, he inherited great private wealth.

B. Ratzinger Consecrated in the New Rite. The second problem was even more delicate. Ratzinger *himself* had been consecrated a bishop in the new rite. If Ratzinger suspected that Fellay and a substantial number of SSPX clergy and hangers-on didn't even think he was a *bishop*, how could he "reconcile" SSPX?

The issue surfaced nearly at once. In the summer of 2005, a few months after Ratzinger's election, a French traditionalist publisher put out a book-length study of the new Rite of Episcopal Consecration that concluded it was invalid. Its cover carried side-by-side photos of Ratzinger and Fellay.

This got the attention of SSPX higher-ups, just as it surely got the attention of the Vatican. A traditionalist order in the SSPX orbit, the Dominicans of Avrillé, was given the task of pulling Bp. Fellay's fat out of the fire by trying to



make a case for the validity of the new rite. They published a lengthy article in Fall, 2005, which appeared shortly thereafter in the U.S.

The article was long, baffling, and left key terms undefined. It never managed to focus on two central questions: (1) What principles does Catholic sacramental theology employ to determine whether a sacramental form is valid, and (2) How do those principles apply to the new Rite of Episcopal Consecration?

I waded into the controversy in March 2006 with my first article on the topic, supplemented subsequently with sets of responses to objections and even interviews on French radio (probably sounding to the French the same way Inspector Clouseau sounds to Americans...)

In any event, the Avrillé article gave Bp. Fellay enough cover to allow the negotiations to proceed for several years, until they were broken off in early 2013. With the election of Bergoglio in March, the prospect of a deal is now dead.

So in the twelve-year pursuit of the deal that never came, all Bp. Fellay accomplished was selling out principles of sacramental theology that his episcopal confreres in SSPX had no problem understanding. One can always hope that a future successor to Bp. Fellay will learn the lesson and have the sense to follow a different course.

FELLAY SERVES UP THE CHICKEN WAFFLES

Bergoglio a Modernist? Uh, Didn't Mean it...

Rev. Anthony Cekada

December 5, 2013

Since the death of SSPX founder Archbishop Marcel Lefebvre, one of the popular pastimes in certain traditionalist circles when faced with the latest Novus Ordo outrage is the game of WWLD – What Would Lefebvre



Do? So during the whole opera of the SSPX-Vatican negotiations that played out in 2012, both sides – those who favored a deal and those opposed – tried to wrap themselves in what they thought Abp. Lefebvre “would have” done. Either side, of course, could just as well have had the right answer during the negotiations fiasco, an issue we explored on *Restoration Radio* in two shows in April and May, 2012.

But when it comes to the antics of Bergoglio (“Pope Francis”), I don’t think there could be *any* doubt about what Abp. Lefebvre would have done. Bergoglio’s statements about no Catholic God, proselytism as nonsense, the role of conscience, etc. would have *infuriated* Lefebvre, and he would have gone from one end of the world to another denouncing Bergoglio as a modernist and as a threat to the Catholic faith.

Hence, it was somewhat of a surprise that Bergoglio engaged in one outrage after another month after month while one heard not so much as a peep from SSPX’s leadership or its publications. Nothing. On the question of Bergoglio, SSPX-ers had turned into Trappists.

“A Genuine Modernist!”

Six months into the Bergoglio “pontificate,” one at last started to hear rumblings from SSPX in the form of opaque and diplomatically worded “critiques” from its publications in Europe.

Finally, in an October 11, 2013 press conference, SSPX Superior General Bp. Bernard Fellay said of Francis, “We now have in front of us a genuine modernist!”

Despite this declaration, though, subsequent SSPX critiques have tended to be muted. A diocesan priest in Germany recently told us that his conservative colleagues there who offer officially approved traditional Latin Masses are far more critical of Bergoglio than the local SSPX clergy.

But perhaps the SSPX clergy are simply aware how easy it is for their organization’s party line to change, and for them to be left on the wrong side of a new “official position.”

And sure enough, there was another shift.

Well, What I Really Meant Was...

This came in an extensive interview published December 4, 2013 – two months after his “genuine modernist” statement – when Bp. Fellay said of his earlier remark:

“I didn’t mean to say the Pope is a Modernist in *theology*, but in *action*.”

Why the 180?

Because **modernism is a heresy**, and Fellay is afraid that someone in SSPX might remember the principle that **a heretic cannot be a true pope** – a principle that even Abp. Lefebvre himself acknowledged from time to time. A discussion of this possibility would cause conflict between various factions within SSPX.

Since loyalty to the Society and the preservation of its own existence – rather than adherence to objective and coherent theological principles – is the Prime Directive for all members of SSPX, such internal division must be avoided at all costs.

It's Waffle Time!

So, Bp. Fellay serves up a giant plate of chicken waffles. The whole interview is incoherent and rambling, and Bp. Fellay treats us to ideas and observations like:

- Maximillian Kolbe's ideas on the Masons and Immaculata.
- A bland discussion of the internal disputes within the Franciscans of the Immaculata.
- Fellay's "shock" over the application of the B16 Motu Proprio.
- The "attitudes" of Benedict and Francis are different.
- There is "confusion" over Bergoglio's statements – Who am I to judge? Doctrinal certitude is impossible.
- Bergoglio is "a less credible pope," whose statements are "unfortunate."
- Bergoglio "talks too much."
- Reflections from an Argentine about Bergoglio as a "man of action."
- My use of the term "modernist" "was not understood by everybody."
- The media's use of Bergoglio's words is "dangerous," it "creates an atmosphere."
- There is "nihilism" in popular culture.
- Nothing is being done "to heal the Church."
- We have to talk about La Salette, Leo XIII's exorcism, Satan setting up his throne in Rome.
- The laity must be firm in the faith, charitable, and follow their state of life.
- SSPX's main role is "restoring the Church through the Mass."
- One must "rediscover the Christian spirit."
- In the end the Immaculate Heart will triumph.

You can churn out stuff like this with your brain on autopilot. It frees you from the need to make a coherent argument for a clear position that is based on real theology.

Thus, like a mama bird who gobbles up all sorts of junk and regurgitates it in a bland pap for her chicks, Bp. Fellay covers up his creation with trad clichés and bromides, in hopes of appealing to everyone in his organization – instead of simply appealing to the truth.

PAPA GAGA'S "PASTORAL" CODE

The Modernist Trick of Undermining Faith Through "Experience"

Rev. Anthony Cekada

December 18, 2013



"When I hear the word, 'culture,' I reach for my revolver." The idea behind the pithy saying, usually attributed to Nazi Hermann Goering, is that a soothing term often hides a poisonous agenda. So it is with the term "pastoral" used in the con-

text of the post-Vatican II religion.

Every priest, bishop and indeed, pope worthy of his calling, of course, must strive to imitate the solicitude of *the* Good Shepherd as he goes about the work of teaching, ruling and sanctifying the flock in His Master's name. But as those of us who lived through the first chaos-filled decades following Vatican II can tell you, "pastoral" on the lips of a modernist had another, more sinister connotation. It was the common code for "promotes the revolution in doctrine and morality."

And it is this word that we find Bergoglio ("Pope Francis") using in just about every public pronouncement he makes – daily homilies, Angelus messages, talks to priests and bishops, pastoral exhortations, and interviews. Everything and everybody in the post-Vatican II establishment must now must be "pastoral." Soon, no doubt, someone will feed his statements into a computer and come up with a count for how often this word and related concepts appear.

What is the *real* message Bergoglio wants to convey by constantly employing the word "pastoral"? And what does it tell us about his long-term program?

1. The Post-Vatican II "Pastoral" Bishop

Since Bergoglio began his priestly work (and seems forever

fixated) in the heady post-Vatican II '60s and '70s, this is era we must look to for clues about how he understands the descriptive term "pastoral." And here we encounter the species known as the Vatican II "pastoral" bishop. It existed everywhere in the world. Some prime examples in America were Joseph Cardinal Bernardin (first of Cincinnati, and then Chicago), John Cardinal Dearden (Detroit), Roger Cardinal Mahony (Fresno, Stockton, Los Angeles), Walter "Bucky" Sullivan (Norfolk), Matthew Clark (Rochester), and the recently-retired Howard Hubbard (Albany).

This sort of bishop tolerated every sort of heresy and attack on Catholic moral teaching in his diocese. He let priests engage in sacrilegious (if not insane) liturgical practices. He brought in radical modernist theologians to brainwash priests into accepting the new theology. (New York's Terence Cardinal Cooke sent every priest in his archdiocese Raymond Brown's modernist screed *Priest and Bishop*, an attack against Catholic teaching on apostolic succession.) He allowed every sort of error to be taught in his seminary, which he put in the care of modernists who then systematically expelled any seminarians still adhering to "old Church" notions of faith and morality.

He was a believer in "proportionalist" (=no real rules) moral theology. He promoted, by winks, nudges and silent acquiescence the idea that contraception was not a sin. He assaulted the indissolubility of marriage by installing modernists in his marriage tribunals who handed out phony annulments like party favors on spurious grounds ("immaturity" and "psychic incapacity" were two favorites.)

He created a bloated diocesan lay bureaucracy, staffed by uppity feminists with chips on their (bare) shoulders over patriarchy and "reproductive freedom." He imposed heretical catechism texts that left generations of children utterly ignorant of the fundamental truths of their faith, and he instituted sex "education" (i.e. initiation) programs that stripped the same children of innocence and any sense of Catholic morality. He looked the other way or to godless psychology when his clergy preyed upon the little ones. At

the same time, he ruthlessly persecuted old priests for adhering to the true faith, by driving them into early retirement, supporting parishioners or younger priests who rebelled against them, punishing them with threats of suspension, and in some cases, trying to get them certified as insane.

When conservatives challenged his loyalty to Catholic dogmas and moral principles, the “pastoral” bishop feigned offense and proclaimed himself utterly faithful to church teachings – without, of course, ever being *too* specific about what these teachings were.

He taught by example – *bad* example. Everything he did – and more importantly, *failed* to do – reinforced the idea that Vatican II definitively broke with the past, and that the old beliefs and rules no longer applied.

The “pastoral” bishop did not openly deny traditional Catholic doctrine and morality in words. He didn’t need to. **He denied them with his deeds.** His actions and inactions spoke far louder and far more eloquently than anything he could have ever said from the pulpit or published in his crypto-Arian diocesan newspaper. His clergy got in line and followed along.

And the “pastoral” bishop’s flock learned the lesson he taught. Fifty years later, the typical American Catholic is utterly ignorant of the most fundamental truths of his faith, which he reduces to good feelings, and a relativist in morality, which he reduces to being “nice,” not “judging” and “following your conscience.”

This, then, is the world Bergoglio, a dyed in the wool member of the post-Vatican generation – perhaps more polyester than wool – summons up when he utters the word “pastoral.”

2. De Mattei’s Warning on Bergoglio’s “Pastoral Revolution”

Naturally, conservatives of the *Wanderer* and Father “Reading-Francis-through-Benedict” Zuhlsdorf stripe dismiss such notions as exaggeration, leftist/*National Catholic* “Fish-

wrap” wishful thinking or even – shock! horror! – sedevacantist propaganda. But some respected voices in the Novus Ordo church, especially in Italy, have figured out Bergoglio’s “pastoral” code, and have started to warn fellow Catholics of the danger it represents.

One example is the well-known Italian author and church historian Roberto de Mattei, who made a considerable reputation for himself by attacking the conclusions of the “School of Bologna,” a group of church historians with a more “progressive” take on Vatican II. De Mattei has already criticized Bergoglio several times, notably his appalling interviews for the atheist Scalfari and the Jesuit publication *Civiltà Cattolica* this past year. Earlier this month, the *Rorate Caeli* blog translated and published two lengthy de Mattei articles that dissected Bergoglio’s “pastoral” code. The titles convey his dire message: “Meltdown of the Church” and “The Process that has led us to the New Modernists.” The articles are written in a high-toned style that may make them tough going for the average U.S. reader, but here are some significant points from the first, “Meltdown of the Church”:

- Vatican II was repeatedly termed a “pastoral” council.
- But on some points, nevertheless, it *did* in fact want to teach new things.
- **Overall these novelties *do* constitute a true and real magisterium**, which was presented as an alternative to the traditional one.
- The innovators expected to reform the whole Church by their *praxis* or *pastoral application* of the Council. By doing this, **they made it into doctrine**.
- This approach is sometimes called “the spirit of the Council” or “the *virtual* Council,” and its advocates enthusiastically welcomed Francis.
- Benedict XVI’s interpretation (“hermeneutic”) of Vatican II as “continuous” with the past was bound to fail, because this admits that a *variety of interpretations* were possible.

- So, the virtual Council – what progressives did with it – is just as authentic as what is in the V2 documents themselves.
- **Because the language of the Vatican II documents “was deliberately ambiguous and vague,” the progressives interpretation “offered the authentic key to the reading of the final documents.”**
- Vatican II represents “a moment of un-doubtable, and in certain terms, apocalyptic historical discontinuity.”
- Bergoglio is not interested in theological discussions, “but in the reality of the facts, and it is *in [practice]* that he wants to show that he is the true ‘implementer’ of Vatican II - - he incarnates the essence of Vatican II.”
- **“Pastoral revolution” is the primary characteristic of Francis’ pontificate, and “pastoral” is a key word in his ministry.**
- The pontificate of Francis is “the most authentically conciliar one, in which *praxis* is turned into doctrine, and which **“attempts to change the image and the reality of the Church.”**
- The roots of this “pastoral” approach lie the “new theology” condemned by Pius XII in the 1950s, a **theology that reduces faith to nothing more than “religious experience” or “encounter.”**
- The consequence of this “pastoral theology of experience” is that **“doctrines, rites and the interior life are submitted to a liquifying process** so radical and so perfected that you can no longer distinguish between Catholics and non-Catholics.”
- The measure of faith is not “in the doctrine believed [the traditional definition] but in the life and action of the believer,” in which it becomes “religious experience, freed from any objective rule of faith whatsoever.”

Here, then, is the key to decoding what Bergoglio and other modernists like him mean by “pastoral” – **through actions, silence or dissimulation one seeks to undermine Catholic dogma and morality by changing men’s *experience* of them.**

Want to dump the dogma of transubstantiation? Say nothing about it from the pulpit, except maybe that it’s *an* explanation of the Eucharist, abolish Benediction, reduce signs of reverence, promote hand communion, sing songs filled with all sorts of “bread” terms, and hide the tabernacle. Want to change teaching on hell? Never mention it. Want to bless contraception? Never preach against it, remain silent in the confessional if anyone bothers to confess it, talk a lot about the “primacy of conscience” and “mature decisions.”

Change the *experience* – through action, silence and dissimulation – and the dogma and objective moral principles will follow. That’s the diabolical genius of the modernist method.

3. Papa Gaga and Content-Free “Catholicism”

Modern society rejects dogma and reduces religion to mere personal experience, and this is why it has made Bergoglio a media superstar, if not a supernova. His interviews have already clearly conveyed the idea that he regards doctrine and church law as falling into the “Don’t Sweat the Small Stuff” category, a winning proposition in a secular culture that dismisses differences in faith among various “denominations” as so much hair-splitting. Bergoglio’s exaltation of the individual conscience and his “who am I to judge” remark appeals to a generation of self-absorbed “seekers,” each of whom feels free to fashion his own commandments and call himself “spiritual but not religious.” Advocating material help for the poor is a perfectly acceptable message to preach to modern man, because it can be done without it impinging on either modern man’s vague religious beliefs or his personal moral (i.e., immoral) conduct. Providing sandwiches for the hungry and clean needles for addicts is a lot

less taxing than “small minded rules” about tossing out the birth control pills and ditching your third trophy wife.

Bergoglio is adored and idolized not because of *what* he says, but because of the *image* he projects and the *experience* he delivers. In this respect, he is like the pop stars Madonna or Lady Gaga (both grossly immoral apostate Catholics and, not incidentally, products of Bergoglio’s “pastoral” post-Vatican II church). He is an attractive and recognized brand you can endlessly talk about without any impact whatsoever on your day-to-day-existence. The “spiritual insights” of his preaching – sometimes a recycling of various ’60s liberal obsessions – are as trite as a Hallmark card; one fully expects to find him delivering a homily at Casa S. Marta about caterpillars turning into a butterflies.

For these reasons, there was nothing to prevent Bergoglio from being proclaimed “Person of the Year,” not only by Time Magazine but also even by a national “gay” publication – the latter fact being proof once again that events in the Novus Ordo are beyond parody.

In sum, Bergoglio’s “pastoral revolution” does exactly what it is intended to: It delivers religious experience without real faith – a content-free “Catholicism,” one that is Catholic in name only.

So when in the coming months and years, you hear from the secular press and the Novus Ordo hierarchy that Papa Gaga’s “pastoral” approach is really *reaching* people, remember what you should “reach for” yourself...

GAGA ON ISLAM

Bergoglio Draws a Jesuit's Fire for Whitewashing the Koran

Rev. Anthony Cekada
January 2, 2014

Before Vatican II, the absolute last thing you'd expect to find a Jesuit doing was publicly attacking a papal pronouncement. The Jesuits, whatever their other considerable shortcomings, were regarded as fiercely loyal defenders of the papacy, the "shock troops of the Holy See," who even took a special fourth vow to go wherever the pope would send them.

But as the trite 70s saying goes, "That was then and this is now" – the "now" being fifty years into the Vatican II demolition job on the Church, and nine months into the mad-cap reign of "Pope Francis," a.k.a. Jorge Bergoglio.

In the months since his election, Bergoglio has produced torrent of pronouncements that have been alternately heretical, blasphemous, theologically ignorant, offensive, wrong-headed, goofy, clichéd, shallow, contradictory, or crypto-Marxist. Just as we predicted, this man is a loose cannon. He is a constant source of worry and appalling embarrassment to those people in the Novus Ordo establishment, now a minority, who still hold on to vestiges of the old religion. Many of these souls, however, have begun to criticize Bergoglio, openly and in mainstream media outlets.

The latest to take Bergoglio to task is an Egyptian Jesuit and expert on Islam, Rev. Samir Kahlil Samir, who teaches in Beirut, Rome and Paris, and is the author of several books and essays on Islam and on its relationship with Christianity and the West. On December 19 the "Asia News" site of the Pontifical Institute for Foreign Missions published an extensive commentary by Fr. Samir on the passages dealing with Islam in Bergoglio's September 24 Apostolic Exhortation *Evangelii Gaudium*. Thereafter, his article received a much wider publication when the respected Vatican correspondent Sandro Magister posted a large section of it in his blog on December 30.

While the first part of Fr. Samir's commentary praises what he regards as "many positive things" in the exhortation, his second part, "Points of 'Evangelii Gaudium' that Require Clarification," is of great interest to us – for it demonstrates that Bergoglio's optimistic-sounding declarations about Islam are either the product of stupidity or are simply a pack of lies.

Here is synthesis of Fr. Samir's catalogue of Bergoglian howlers on the subject of Islam, Moslems and the Koran, taken from Nos. 250-253 of *Evangelii Gaudium*.

1. Muslims "together with us adore the One, merciful God" (No. 252)

Sure, any traditional Catholic knows this is utterly false, just the sort of ecumenical garbage that the Conciliar Church has been putting out for decades. But what is significant is that *Fr. Samir* recognizes that Bergoglio's declaration is false, because "it suggests that the two conceptions of God are equal" – and does not hesitate to say so.

2. "Jesus and Mary receive profound veneration" in Islam (No. 252)

While Muslim women may indeed venerate the Blessed Virgin, says Fr. Samir, Our Lord "is not an object of veneration." In fact, "all that is said of Jesus in the Koran is the exact *opposite* of Christian teaching. He is not the Son of God, but a prophet, and that's it."

3. "The sacred writings of Islam have retained some Christian teachings" (No. 252)

Fr. Samir says Mohammedans retain "words or facts" from the four Gospels and "pious tales" from the apocryphal gospels, but "do not draw from them the *theological sense* they contain, and so do not give these facts or words the meaning that they actually have..."

Moreover, Fr. Samir points out, the Koran is opposed to all the fundamental Christian dogmas:

- It explicitly condemns the notion that Christ is the Second Person of the Trinity.
- It condemns the doctrine of the Trinity.
- It denies the divinity of Christ.
- It denies the Redemption, claiming that Jesus Christ did not die on the Cross.

In short, Fr. Samir says, the Koran and Muslims deny the essential dogmas of Christianity. “One cannot then say that ‘the sacred writings of Islam regain part of Christian teachings.’” The Jesus of the Koran “has nothing to do with the Jesus of the Gospels.”

4. Muslims “acknowledge the need to respond to God with an ethical commitment” (No. 252)

Bergoglio tries to draw a parallel between Christians and Muslims on this point, and Fr. Samir demonstrates that this, too, is false.

- While for Christians, all men in need are supposed to be objects of their charity, among Muslims *fellow Muslims* are aided as a means of promoting “solidarity within the Islamic community,” as can be seen from the response of rich Arab countries to natural disasters.
- While for Christians, the discomfort of fasting aims to bring us closer to Christ’s own sacrifice, the farcical Ramadan “fast” allows you to eat *as much as you want* of the *best* food you want from dusk to dawn, as long as you eat nothing during the day. Ramadan is a time to stuff yourself with delicacies all night.
- While the Christian is supposed to forgive, as long as a Moslem observes Islamic law, everything is in

order, and there is no obligation in the Koran to forgive.

- While Christian marriage raised the dignity of the woman through its indissolubility and through the obligations it imposed upon the husband, the Koran permits polygamy, allowing up to four wives; and as if this were not degrading enough, it even allows the husband to divorce and replace these, as long as the number remains at four.

5. “Obstacles and difficulties” from “fundamentalism on both sides” (No. 250, 253)

Of this particularly ripe bit of idiocy, Fr. Samir observed:

Christian fundamentalists do not carry weapons - - [But among Muslims,] armed fundamentalism seeks to replicate the Mohammedan example. In his life, *Mohammed waged more than sixty wars*, and if Mohammed is the supreme exemplar (as the Koran claims in 33:21), it is now not surprising that some Muslims also employ violence in imitation of the founder of Islam.

6. “True Islam and the proper interpretation of the Koran oppose all violence.” (No. 253)

Fr. Samir really has to bite his tongue on this one to keep from calling Bergoglio either an idiot or a liar. The notion that “true Islam” opposes all violence, Fr. Samir says, “does not seem true,” and “needs a lot of explaining. It is enough to cite Chapter 2 and 9 of the Koran.”

“Here in the East,” Fr. Samir adds, “we understand very well that Islamic terrorism is religiously motivated.” Moreover, the question of giving a proper interpretation to the Koran, says Fr. Samir, is “the most heated – indeed, the most forbidden – debate in the Muslim world.”

* * * * *

The verdict on Bergoglio’s treatment of Islam in *Evangelii*

Gaudium, then, is obvious: Just about *everything* he says is false. It is a fatal combination of theological stupidity, ignorance of even basic facts about Islam, ecumenical wishful thinking and stale '60s obsessions, spiced with a dash of anti-traditionalist rhetoric ("fundamentalists on *both* sides" – that's you and me, folks). And the proof for these conclusions comes not from some dreaded sedevacantist (like me), but from a thoroughly "mainstream" Novus Ordo source, Fr. Samir, a former adviser to the Vatican on Islamic affairs and, like Bergoglio, a Jesuit to boot.

Bergoglio's doctrinal errors and idiocies in *Evangelii Gaudium* are not limited to his four paragraphs on Islam. One could devote several weeks' worth of blogs to dissecting the rest of the document and still not run out of material. It

is *loaded* with errors and – there's no other way to put it – idiocies.

Then there is the bigger picture: We have repeatedly stated that one of Bergoglio's principal aims since he first stepped out onto the balcony at St. Peter's after his election has been **to diminish the papacy**. He has relentlessly pur-

sued this goal over the last nine months in his words and his intentionally hammy and well-publicized deeds. While Bergoglio is a typical '60s Stalinist liberal who does not hesitate to use his authority to crush traditionalist opposition ("self-absorbed Promethean neo-Pelagians"), he realizes that one can also *manipulate* opponents as pawns in a scheme to achieve the larger revolutionary goal. This was the strategy Mao followed in his "Revolution of a Hundred Flowers" in order to draw out and then eliminate opposition. So, Bergoglio has even said publicly that he *appreciates* it when people correct him (it "manifest[s] love") thus getting himself yet another twofer: publicizing his self-aggrandizing "humility" *and* diminishing deference and respect for the papal office.



Chairman Mao of China with President Ford and Henry Kissinger

And he *appreciates* public correction? Tell it to Cardinal Burke.

All this, though, has a silver lining for those Catholics who have rejected the Vatican II revolution. Unlike the relatively staid and conservative front John Paul II and Benedict XVI tried to put on Vatican II, Bergoglio has pulled off the mask to reveal its true face: a revolution – in its original sense of an “overturning” – in Catholic faith, discipline, liturgy and morals. It is far easier for us to demonstrate that Vatican II caused a mess with Bergoglio running amok virtually every day. The contrast and opposition between the Catholic religion and the modernist religion of Vatican II will thus come into increasingly sharper focus for those souls in the Novus Ordo institution who still retain a traditional understanding of Catholic doctrine and morality.

So, if in the long run more Catholics eventually come to understand that Vatican II is the *real* problem and needs to be dumped, it will be due in large measure to the madcap antics of its Number One Fanboy – Jorge Maria Bergoglio, “Chaos Frank,” “Papa Gaga.”

MR. BERGOGLIO'S NEIGHBORHOOD

Francis Greets His Pentecostal “Brother Bishop” and Gives Away the Store

Rev. Anthony Cekada

February 25, 2014



For thirty-five years *Mister Rogers' Neighborhood*, a TV show presided over by a likable and low-key Calvinist minister named Fred Rogers, taught American children the advantages of cooperation and generic “niceness,” and did so utterly without reference to any religious dogma, Calvinist, Catholic or otherwise.

It was Fred's sweater-clad specter that came to mind when I chanced upon a video message Jorge Maria Bergoglio (“Pope Francis”) recently made for the Protestant charismatic Bishop Tony Palmer and a Kenneth Copeland Ministries conference. Here was Bergoglio – supposedly Successor of Peter, Roman Pontiff, Vicar of Jesus Christ on Earth – delivering an address to American Protestants that undermines one Catholic teaching after another.

It is a cringe-inducing dose of emotional, dogma-free, Vatican II ecumenical “niceness.” Give each other “hugs”! If you have even an ounce of Catholicism left, you want roll your eyes, say “yuck,” move the cursor, and quickly click on something (anything!) else. But as much as we might feel like averting our eyes from the horror of this train wreck, we have to force ourselves to look closely at the devastating doctrinal carnage that Bergoglio has strewn throughout a mere 600 words:

- Bergoglio says he will not speak Italian or English “but ‘heartfully,’ a language more simple, and more authentic, and this **language of the heart** has a special language and grammar. A simple grammar.”
- For Bergoglio, Tony Palmer, a bishop in something called the Anglican Episcopal Communion of the CEEC (Celtic Anglican Tradition) and a pentecostal, is “**my brother bishop.**”
- It is a joy to Bergoglio that pentecostal groups like this come together “**to receive the Spirit,**” because this way “**we can see that God is working all over the world.**”
- Bergoglio is filled with yearning because it happens “**in our neighborhood [quartiere],**” where there are “**families that come together and families who separate themselves.** We are kind of... permit me to say, separated.”
- Why are the Catholic Church and pentecostal groups separated from each other? “It’s sin that has separated us, **all our sins.** The **misunderstandings** throughout history. It has been a **long road of sins that we all shared in.** Who is to blame? **We all share the blame.** We have all sinned. There is only one blameless, the Lord.”
- Both of us, the Catholic Church and pentecostal groups, have our “currency” – “The currency of our culture. The currency of our history. We have lot of cultural riches, and religious riches. And **we have diverse traditions. But we have to encounter one another as brothers.** We must cry together like Joseph did. **These tears will unite us. The tears of love.**”
- “Come on, we are brothers. **Let’s give each other a spiritual hug** and let God complete the work that he has begun. And this is a miracle; the miracle of unity has begun.”
- “**I ask you to bless me,** and I bless you. From brother to brother, I embrace you.”

It almost sounds like a parody of reheated '60 liberalism. Or, as if a sedevacantist ghostwriter were regularly feeding Bergoglio talking points over the Casa S. Marta breakfast buffet: "OK, Jorge, today start by calling the Protestant your 'brother bishop,' hint that the Holy Ghost is behind the jabbering in tongues, and wind up with teary hugs. Let's see how the SSPX and *The Remnant* crowd will try figure out a way to insist you're a real pope after *that!*" (Full disclosure: Bergoglio has *not* phoned me – at least within the past two weeks....) But duty obliges us to step beyond parody in order to examine the array of errors and heresies encoded in these idiotic vaporings.

I. Bergoglio-Speak Decoded

1. Language of the Heart. Mushy, emotional clap-trap, of course, but what's behind it? The classic modernist notion of religion in general and faith in particular as a "personal experience" or an "encounter with Jesus." Bergoglio's public statements are shot through with this theme, and it is the **opposite** of the Catholic understanding of faith – adhesion of the intellect under the influence of grace to truths revealed by God (dogmas) on account of His authority as revealer.

For modernists like Bergoglio, subjective emotion trumps objective revealed truths, especially when these truths have been systematically presented, because they then become what Bergoglio denounced in an address to the Congregation for the Doctrine of the Faith as "an ensemble of abstract and crystallized theories." Instead of all this precise and picky dogma stuff, we get what Bergoglio calls "a simple grammar." Don't sweat the dogma with Protestants, because they can "encounter Jesus" without it.

2. My Brother Bishop. This is another Bergoglian two-fer. First, you continue the program of diminishing the traditional Catholic teaching on papal authority by putting the pope on the same level as a bishop – and not even a putatively *Catholic* one, mind you, but a functionary in a heretical Pro-

testant sect.

Second, you trash Pope Leo XIII's teaching on apostolic succession and holy orders, according to which Bishop Palmer would be *nothing more than a layman*. More "abstract and crystallized theories," no doubt. Modernists utterly reject the standard teachings of traditional Catholic theology on what is required for the validity of a sacrament. The concepts of sacramental matter and form are not even *found* in the so-called *Catechism of the Catholic Church*. So while it is not surprising that a '60s modernist like Bergoglio *believes* that a Protestant is a "brother bishop," it is indeed quite shocking to hear a man in a white cassock who claims to be the pope **say it out loud**. Where is the outrage from the pretzel-minded conservative cheerleaders like Fr. Zuhlsdorf, Jimmy Akin, and *The Wanderer* staff?

3. God Working through Heretics Speaking in Tongues. Pentecostals like Palmer, Copeland and their followers jabber incomprehensible gibberish aloud at their gatherings and claim it is the Holy Ghost speaking. According to Bergoglio's reasoning, this way "we can see that God is working all over the world."

Uh, God works. We receive the Holy Ghost. Through gibberish. Spouted by heretics.

How can Bergoglio say something so stupid about a Pentecostal sect like Palmer's and Copeland's? Easy. Because of Vatican II's teaching on ecumenism, according to which even non-Christian religions are means of salvation used by the Holy Ghost, and because faith for Bergoglio is *not dogmas*, but personal religious experience or "*the language of the heart*."

4. Church and Sect are "Families" in the Same "Neighborhood." Got that? The article in the Creed "I believe in one... Church" has been updated to "I believe in one *neighborhood*," and the understanding of the Church as "the kingdom of God on earth **governed by apostolic authority**" (D. Palmieri) is replaced by the Neighborhood Family

Club. You don't have *one* family of God under *one* authority (Christ's Vicar) over all its servants (*famuli*) but *multiple* families who "separate themselves" from each other – do not participate, perhaps, in the same barbecues, sack races and water balloon fights at the neighborhood clubhouse.

5. Church and Sect are Separated Because of "Sin." By this Bergoglio certainly doesn't mean a sin of *heresy* on the part of non-Catholics. Given his concept of faith, such would be impossible, because for him dogma does not exist except as "abstract and crystallized theories." "Sin" for him, rather, seems to mean nothing more than *moral faults* and misunderstandings that lead to quarreling among families in the neighborhood – the Pope, Calvin, Luther, Tudor and Kenneth Copeland families.

The Copeland Ministries family believes in the "prosperity Gospel" (God wants Christians to be rich, and "faith," positive speech, and donations to Christian ministries will always increase your material wealth), that "Adam was God manifest in the flesh," that God is a man and a woman, and for that matter, so was Adam. Do doctrines like this *really* separate us from the Copeland "family"? Oh please, don't sweat the small stuff, and let's concentrate on speaking the "language of the heart."

6. Church and Sect Alike Have Cultural/Religious Riches. They also have "diverse traditions." Catholic: Gregorian chant, transubstantiation, Thomistic theology, authority handed down from Christ and the apostles. Pentecostals: snake-handling, jabbering in tongues, spirit-slaying, one-man television ministries. Lots of diverse religious riches there, and all equally precious since "tears" (rather than dogma) are the new currency to deposit at Bergoglio's reformed Vatican bank.

7. Mutual Blessings and Hugs! The superior usually blesses the inferior – the father, the son; the pope, the bishop; the priest, the layman – but since we're all equals in *Mister*

Bergoglio's Neighborhood, there's nothing anymore to prevent a Protestant brother bishop (or even a gaggle of his Pentecostal followers) from blessing that twinkly-eyed, garrulous, grandpa-like geezer, the "Bishop of Rome." And – seal the dogma-free deal with a nice big hug!

II. Claptrap Has Consequences

In 600 words, Bergoglio has once again given away the store. As I pointed out in "9/11 for the Magisterium: The Francis Interviews," his public statements have created "a magisterium which destroys its own foundations." There is no doctrinal certitude about *anything* in his system, nor is there any real need for any. All you need is "encounter with Jesus," the "simple grammar of the heart," respect for other "religious traditions," neighborly spirit, "tears," hugs and mutual blessings – more of what Italian theologian Peter DeMarco has already called Bergoglio's "relativistic slip-page." Everything – everything – is subverted.

Some conservatives would be tempted to shake their heads and say that such a debacle would never have occurred under that Rottweiler of Orthodoxy, Ratzinger. But not so fast! It turns out that Bergoglio's brother bishop, Tony Palmer, said at the same charismatic conference where the video was played that there is no reason now for divisions to exist between Catholics and Protestants.

We are not protesting the doctrine of salvation [taught] by the Catholic Church anymore. We now preach the same Gospel.

Huh? Since when? Well, His Excellency Bishop Palmer tells us, since the 1999 Catholic-Lutheran Joint Declaration on the Doctrine of Justification, which was approved, of course, by Congregation for the Doctrine of the Faith chief, Joseph Cardinal Ratzinger.

At an ecumenical colloquium in 1993, moreover, Ratzinger said we could not predict what the papacy

would look like twenty years later. In a contemporaneous article entitled “Ratzinger: 99% Protestant,” Don Francesco Ricossa offered a penetrating analysis of Ratzinger’s thinking and concluded that it would lead to the creation of a dogma-free ecumenical super-church.

Well in Bergoglio, we have seen the face of this new papacy: it wears a clown nose, poses for selfies, trashes traditionalists, says “no Catholic God,” and reduces the Church’s dogmatic and moral teachings to mush in pursuit of ecumenism. After the Palmer/Copeland video fiasco, the “Francis Phenomenon” has prompted even some Protestants to express their worries that Bergoglio is creating “an emerging one-world religion.” This prospect should spook faithful Catholics all the more. The centuries-long goal of the Church’s enemies – the organized forces of naturalism that have existed since the 18th century – has been to create a dogma-free, one world religion that appeals to emotion without imposing doctrinal or moral constraints. In Bergoglio they have the man for the job.

Of the reign of Bergoglio, conservative commentator Professor Roberto de Mattei recently warned:

The events succeed one another more quickly. The Latin *motus in fine velocior* is commonly used to indicate the faster passing of the time at the end of an historical period. - - The more one distances himself from God the more chaos, produced by the change, increases.

February 11[, 2013] marked the start of an acceleration of time, which is the consequence of a movement which is becoming vertiginous. We are living through an historical hour which is not necessarily the end of times, but certainly the end of a civilization and the termination of an epoch in the life of the Church...

The city is already in ruins and the enemy soldiers are at the gates.

Nay, more. The enemy is *already* within the walls, and the most dangerous of its leaders now rules the neighborhood, a smiling Mister Rogers type in reassuring white robes – but with the heart of a Robespierre.

DIVORCE BERGOGLIO STYLE

Francis Applauds “Profound Theology” that Blesses Adultery

Rev. Anthony Cekada

March 5, 2014

Just about anyone who claims to be a Catholic can tell you that the Church teaches that divorce and remarriage are forbidden. He might even be able to tell you that the teaching is not just a “Church” law, but one that comes from Our Lord Himself: “Whom God hath joined together, let no man put asunder.” And he might even add that if you remarry while your first spouse is alive, you commit adultery.



Until now that is. For as we predicted last year, Bergoglio (“Pope Francis”) is pressing forward with his program to dismantle Catholic teaching on giving the Eucharist to the divorced and remarried, one of the **six key points of Bergoglio’s revolution**. For some reason Bergoglio believes that implementing this change will lure hordes of disaffected nominal Catholics back to the emptied and emptying churches of Europe and South America.

Since the traditional teaching is so deeply rooted not only in Catholic dogmatic and moral teaching, but also (despite Vatican II) in the consciousness of many Catholics, it was necessary to engage in extensive preparation for such a seismic shift. The biggest step came recently with Cardinal Walter Kasper’s keynote address to a meeting of all the cardinals in Rome on February 20-21, a gathering intended to prepare for the October Bishops’ Synod, which will have the family as its theme. Bergoglio’s personal choice of Kasper as keynote speaker for this topic was considered very significant. The cardinal has a reputation for being one of

the more “liberal” modernists in the once-Sacred College.

The text of Kasper’s address to the cardinals was not supposed to be made public, but it was leaked to the Italian paper *Il Foglio*, which printed it in full. (It has yet to appear in English.) On February 21, at the end of the consistory, Bergoglio lavishly praised the speech:

Yesterday, - - I read or rather re-read the work of Cardinal Kasper, and I would like to thank him because I found profound theology, and even serene thinking in theology. It is pleasant to read serene theology. And I also found what Saint Ignatius told us about, that *sensus Ecclesiæ*, love for Mother Church. It did me good and an idea came to me – excuse me, Eminence, if I embarrass you – but the idea is that this is called “doing theology on one’s knees.” Thank you. Thank you.

Vatican commentator Sandro Magister says that Kasper’s proposals represent nothing less than “a paradigm shift” on the issue – a complete change of context or perspective – and that it enunciates the program that Bergoglio intends to implement.

So what *is* Bergoglio’s program for the question of giving the Eucharist to the divorced and remarried, and what are the problems with it?

I. Kasper’s “Serene Theology”

The speech begins with a lengthy introduction, followed by four sections on the family in the order of creation, the “structure of sin” in family life, the family in the Christian order of redemption and the family as “domestic church.” This consists of several thousand words of convoluted modernist piffle which few in the Novus Ordo church will bother to read.

The fifth section, however, contains the real point of the speech: to provide Bergoglio and the “left” of the post-Vatican II hierarchy with a theological fig leaf for giving the Eucharist to the divorced and remarried. Here is Kasper’s warm-up before he gets to the nitty-gritty of practical proposals:

- The situation of divorced and civilly remarried Catholics poses a thorny problem.
- We can't just consider it from a sacramental and institutional perspective. We have to "change the paradigm" and consider it from the point of view of those who "suffer."
- Priests have to strive to reconcile the parties when marriages are in crisis. [Brilliant, Your Eminence! Brilliant!] They shouldn't cease doing so "after the failure of a marriage." [Wow!]
- After the "bitter experience of the past" with a Catholic marriage that ended in divorce, civil marriage and the new "relationship" can seem "like a gift from heaven."
- What should the Church do? "[The Church] cannot propose a different or a contrary solution to the words of Jesus. - - The indissolubility of sacramental marriage and the impossibility of a new marriage during the lifetime of the other partner is part of the tradition of the Church's binding faith that cannot be abandoned or undone by appealing to a superficial understanding of cheapened mercy."
- But now in the modern age, we face a "new situation" [of course!]. While formerly church law imposed the penalties for bigamy on those civilly married, including excommunication, these are gone. They are now invited to participate in the life of the Church. "This is a new tone."
- Why not apply to their situation the same strategy Vatican II did with religious liberty and ecumenism? Sure, encyclicals and decrees of the Holy See "seemed to **preclude other ways**. Without violating the binding dogmatic tradition, the Council opened doors. We can ask ourselves: is it not perhaps possible that there could be further developments on the present question as well?"

Although he doesn't say it, Kasper's real aim is to allow the

parties in the invalid second marriage to engage in marital relations with each other. Since the spouse from the first sacramental marriage is still alive, he must find a way to excuse them from adultery, either by claiming the first marriage didn't *really* exist (was invalid) or by justifying adulterous marital relations on some other grounds. Kasper proposes two possible solutions along these lines, both of which are "already mentioned in official documents."

1. Let Parish Clergy Annul Marriages. This would, in effect, ditch the whole system of church marriage tribunals, and allow a member of the local clergy to decide whether or not a first marriage was valid.

- "Some of the divorced and remarried are in conscience **subjectively convinced** that their irreparably broken previous marriage was never valid." In many cases their local priest is also convinced of this.
- Evaluating the validity of marriages was left to church tribunals, but this isn't a matter of divine law and can be changed to a more "spiritual and pastoral" procedure.
- Perhaps a priest with "spiritual and pastoral experience" designated by the bishop could decide the validity of the marriage.
- This would be in line with Pope Francis' January 24, 2014 speech to the Roman Rota (supreme marriage tribunal) in which he said "the juridical dimension and pastoral dimension [of resolving marriage cases] are not in opposition - - Pastoral care and mercy are not opposed to justice, but they are so to speak the supreme justice, because behind each appeal they discern not only a case to be examined through the lens of general regulations but a human person who, as such, can never represent a case and always has a unique dignity."

- The different levels of higher appeal in the marriage tribunal system cannot effectively decide “the good and the bad of persons” on the basis of “paperwork - - without knowing the person and his situation.”

The consequences of the foregoing we will discuss below. However, merely expanding the procedure for annulling marriages this way, the cardinal says, is not enough. “This would create the dangerous *impression* that the Church is proceeding in a dishonest manner in granting what in reality are divorces.” Hmm. With the divorced and remarried one could also therefore allow...

2. “Penitential” Second Marriages. Kasper’s argument runs thus:

- In 1994 and 2012, Ratzinger said that “that the divorced and remarried cannot receive sacramental communion but can receive *spiritual* communion.” This reflects “true openness.”
- “But it also brings up a number of questions. In fact, someone who receives spiritual communion is one with Jesus Christ. [...] **Why, then, can he not also receive sacramental communion?**”
- The answer was: Out of concern for “the sanctity of the sacrament.”
- “The question that is posed in response is: is it not perhaps an **exploitation of the person who is suffering** and asking for help if we make him a sign and a warning for others? **Are we going to let him die of hunger sacramentally** in order that others may live?”
- “The **early Church** gives us an indication that can serve as a means of escape from the dilemma.”
- The basis is an article Joseph Ratzinger wrote in 1972: “In the individual local Churches there existed the customary law on the basis of which Chris-

tians who, although their first partner was still alive, were living in a second relationship, after a time of penance had available [...] not a second marriage, but rather through participation in communion a table of salvation. [...]"

- This would be "the way of conversion." It would apply to a divorced and remarried person who (1) repents of his failure in the first marriage, (2) "clarified its obligations," (3) can't avoid abandoning the civil marriage "without further harm," (4) does his best to "live out the possibilities" of the second marriage, and (5) has the desire for the sacraments, after a "conversion" or "a period of time in a new direction."
- It would "not be a general solution."
- "Should we not take into account the fact that we will also lose the next generation and perhaps the one after it too? Our long-established practice, is it not showing itself to be counterproductive?"
- The foregoing was the practice of "the early Church," according to the studies of Cereti (1977) and Crouzel/Ratzinger (1972).
- "There can be no doubt however about the fact that in the early Church, in many local Churches, by customary law there was, after a time of repentance, the practice of pastoral tolerance, of clemency and indulgence."
- This is proven by reference to the Council of Nicea (against the rigorism of Novatian), Origen, Basil the Great and Gregory Nazianzen.
- "J. Ratzinger suggested that Basil's position should be taken up again in a new way. It would seem to be an appropriate solution, one that is also at the basis of these reflections of mine. - - In the changed current situation we can however recover the basic concepts and seek to realize them in the present, in the manner that is just and fair in the light of the Gospel."

And for those who find Kasper's proposals appalling and who still long for the days of the Rottweiler of Orthodoxy, let us note in passing here that the cardinal bases his arguments on the work of *Ratzinger himself*.

II. Analysis and Consequences

Even to many souls with only a *limited* understanding of the traditional Catholic doctrine on divorce and remarriage, Kasper ideas will seem extremely fishy: You're "subjectively convinced" that your first Church marriage was invalid, and all you need is a priest's say-so before marrying again? Spiritual communion is equivalent to *sacramental* communion? Receiving communion while still in an *adulterous relationship* is OK? The *early Church* permitted this?

But Kasper's address will have enormous consequences, so we must look at it a bit more closely. And to aid us in our analysis, we are very fortunate to have Professor Roberto de Mattei's extensive critique, also published in *Il Foglio*, and then promptly posted in an English translation on *Rorate Cæli*.

1. A Slap in the Face to the Virtuous and the Suffering. In my priestly life, I have known many men and women whose marriages in the Church ended in bitter conflict and civil divorce, but who despite tears, suffering and human loneliness, remained resolutely faithful to the vows they had pronounced before God, even though their spouses did not. They knew what their obligations were and made every effort to sanctify themselves in order to live up to God's law. I have also known Catholic couples who contracted an invalid second marriage from which they could not depart due to children, old age or poverty, but who, in order to return to the sacraments, vowed before God to live henceforth as brother and sister. Kasper's proposals are a slap in the face to souls like these who struggled mightily and long to observe the divine law whatever the cost, and who, unlike the cardinal and his master, Bergoglio, took God's law seriously enough to suffer for it.

2. “Pastoral” Camouflage for Overthrowing Dogma. In a post late last year, we pointed out that in his public discourses Bergoglio repeatedly employs the term “pastoral,” a ’60s modernist code word. After discussing how the term was applied to bishops in the post-Vatican II era and after summing up Professor de Mattei’s analysis of how Francis uses it in his public pronouncements, we concluded that

The key to decoding what Bergoglio and other modernists like him mean by “pastoral” [is that] **through actions, silence or dissimulation one seeks to undermine Catholic dogma and morality by changing men’s *experience* of them.**

This is *exactly* the dynamic at work in Kasper’s speech. He pays **lip service to the traditional Catholic teaching**, saying we cannot undo it by “appealing to a superficial understanding of cheapened mercy.” And guess what? **He then proposes practices which offer exactly that** – “cheap mercy” purchased at bargain basement prices **without** true repentance for sin and **without** a firm purpose of amendment. When it comes to the first, valid marriage, the dogmas of the unity and indissolubility of the marriage bond are *ignored*, because you are free to continue the adulterous marital relations of the second invalid marriage.

In practice, the dogmas no longer exist, because Bergoglio and Kasper have come up with a “pastoral” work-around that renders them moot. De Mattei latches onto the connection Kasper makes between his proposals on marriage and Vatican II’s “opening of the doors.”

Opened the doors to what? **To the systematic violation, on the level of praxis, of that dogmatic tradition where the words affirm it legally binding.**

3. No Mention of Sin. “Cheap mercy” of the sort Kasper and Bergoglio envision, moreover, becomes possible because, as de Mattei says, “the word *sin* does not enter into Cardinal Kasper’s vocabulary and *never* appears in his report to the Consistory.” This is probably because anything more than a

generic notion of sin (against the environment, against “the poor,” against “the immigrants,” etc., as opposed to particular sinful *acts* by an individual) is considered “negative” theology in the modernist system. Moreover, “Cardinal Kasper does not express *even one word of condemnation* on divorce and its disastrous consequences in western society.” This in turn allows him to use the weaselly expression...

4. “Failed Marriages.” Here, after reading Kasper, one is left with the impression that impersonal objects called “marriages” are constantly floating around, and that when they somehow undergo enough stress fractures from causes unknown, they fly apart on their own, damaging the husband and the wife who happen to be nearby. “Marriage failure” is something like getting cancer. Stuff happens, marriages explode, etc.

The notion constantly pops up in Bergoglian discourse. Here is Francis talking about marriage on Feb. 28, just a few days after the appalling Kasper speech:

When this **love fails** – because many times **it** fails – we must feel the pain of **the failure** and accompany those who have failed in their love. Not condemn them! Walk alongside them.

The love-fails/marriage-fails formulation intentionally side-steps the issue of the *moral responsibilities* of the respective spouses in a marriage that breaks up. The **husband** fails, the **wife** fails, or **they both** fail. By this we mean that one or both do not live up to the moral responsibilities of their state of life, commit sins, and as a result, destroy a grace-filled union that is blessed by God. The husband, the wife or both, drink, fight, commit adultery, show contempt for the spouse, scandalize the children, pout, seek revenge, lie, abandon the other, take drugs, use porn, contracept, undermine the other’s authority, spend money recklessly, are miserly, talk endlessly at the other, refuse to communicate at all, disappear, control every aspect of the spouse’s life, show no interest in the spouse’s life, or intentionally wound the

other. In any break-up, at least *one* of the spouses has not tried to overcome his sins and faults, and to live up to the duties of his vocation by cooperating with the graces of the sacrament he has received.

This is not to say that one or both spouses cannot repent of the habitual sins that ultimately led to their separation, and achieve sanctity thereafter. But Kasper's formulation, abstracted from any clear notion of individual sin and moral responsibility for the divorce, conceals the reality that the illicit second relationship – far from being what Kasper calls “a gift from heaven” – is the consequence of *sin* in the first marriage.

5. Drive-Thru Annulments. The Church established an elaborate system of ecclesiastical tribunals and a whole body of procedural and substantive law to protect the sanctity of the sacrament of marriage. It was difficult to obtain an annulment before Vatican II precisely because the grounds for declaring a marriage contract null were very few (e.g. force, grave fear, error) and the system was weighted against deception or self-serving claims by the parties. Even though annulments were granted on spurious grounds after Vatican II and handed out like candy, the fiction of a legal system that protected the sanctity of matrimony was at least maintained.

This fiction may disappear. Kasper says that since some of the divorced and remarried are “subjectively convinced” that their first marriage in the Church was invalid, and that the clergy involved in their care often agree with them, let a priest with “spiritual and pastoral [that word again!] experience” decide the issue. Maybe a confessor or the bishop's vicar for the area.

This is the '60s “internal forum” solution followed by modernist clergy of the era, but writ large and officially canonized.

Poof, no need for all those tribunals! Father Chuck can decide! And what do you think Fr. Chuck *will* decide if you walk into his office or confessional, say you were really im-

mature when you got married, did not understand its “covenant” aspect, felt pressured because you were living together, didn’t *really* know what love was, just wanted to make mommy and daddy happy, and cry Fr. Chuck a river? Poor boy, poor girl, you didn’t *really* intend to get married, did you? I’m sure you’re in *perfectly* good conscience. And didn’t good Pope Francis say we should be merciful? So repent of that bad, old, first “failed marriage,” do penance for it (a decade of the Rosary if you remember how, or alms to Greenpeace if you don’t), feel free henceforth to approach extraordinary minister Ms. Gauleiter for the Eucharist, and now go in peace to love and serve the Lord.

If this procedure were allowed, says Professor de Mattei, “it is easy to imagine how the annulment of marriages would spread, **introducing *de facto* Catholic divorce**, if not by law, and incurring devastating damage to the human good.”

6. An Invitation to Derision and Scandal. As for the foregoing proposal, as we noted above, even Kasper himself says it “would create the dangerous *impression* that the Church is proceeding in a dishonest manner in granting what in reality are divorces.” The *impression* of dishonesty? The *impression* of divorce? **It would create the REALITY of both.**

Any Protestant, any non-believer, who had an ounce of sense would say that the Catholic Church has changed its teaching and now permits divorce and second marriages. To dress the procedure up as an “annulment” – as if a real marriage never existed in the first place – is to invite mockery and accusations of utter dishonesty, even (according to a recent poll of Austrian and German Catholics) from people who would supposedly benefit from it.

But reforming and streamlining the church’s annulment process would not make a big difference in Germany, the bishops’ report said, because **most remarried people do not regard their original unions as “null and void,” but rather as having failed.** “They therefore frequently consider an **annulment procedure**” – which declares that

an apparent marriage was null from the start – “to be dishonest.”

7. Make It a Six-Pack? The change would also be a source of scandal in countries where polygamy is rife, as even some African bishops recently said. Those who join the Church must choose one wife and leave the rest. If the Church can permit Westerners in developed countries to engage in *serial* polygamy, why not allow Africans to engage in *simultaneous* polygamy? And once you set aside the *principle* of indissolubility of marriage through the *praxis* of Kasper’s new



Catherine Howard’s execution in 1542

“juridical and pastoral hermeneutic,” is there a *limit* to the number of marriages you can, in good conscience, declare “failed”? The one to Catherine of Aragon, say, then followed by another to Anne Boleyn, Jane Seymour, Anne of Cleves, Catherine Howard and Catherine Parr? No need to send anyone to the scaffold, Your Majesty! You don’t even have to bother Archbishop Tom, because his delegate, Father Chuck, can handle it all for you.

8. Fraudulent Appeals to the Fathers. Kasper, as we have seen, says that in the first centuries a “praxis” existed for some Christians by which they contracted a second relationship after “a period of penitence,” even if their first spouse was still alive.

Professor de Mattei demonstrates, however, that this claim is entirely false.

Father George H. Joyce, in his historical-doctrinal study on Christian Marriage (1948) showed that **during the first five centuries of the Christian era, no decree by a Council, nor**

any declaration by a Father of the Church, which sustains the possibility of dissolving the matrimonial bond, can be found.

In the second century, when Justin, Athenagoras, Theophilus of Antioch, mention the evangelical prohibition of divorce, they do not give any indication of exceptions. Clement of Alexandria and Tertullian are even more explicit. And Origen, even if he looks for some justification in the practices adopted by some bishops, specifies that this contradicts Scripture and the Tradition of the Church [...] Two of the first Councils in the Church, Elvira (306) and Arles (314) repeat it clearly. **In every part of the world, the Church regarded the dissolving of the marriage bond as impossible and divorce with the right to a second marriage was completely unknown.**

De Mattei continues his argument, adding proof after proof from the Fathers to refute Kasper's claim, and makes the damning statement:

The "canonical, penitential practice" that Cardinal Kasper proposes as a way out of the "dilemma" **had the *exact opposite significance in the first centuries to what he seems to attribute to it.*** It was not done to expiate the first marriage, but to repair the sin of the second one, contracted only under civil law, and obviously demanded repentance of this sin, and the abandonment of the pseudo-matrimonial condition.

Note well: The exact opposite.

Kasper even distorted the famous Patristic phrase about "the second plank after the shipwreck of sin" by applying it to the Eucharist instead of to Confession, as the canonist Thomas Peters pointed out.

9. The Horse Has Left the Stable. Naturally, those who in the post-Vatican II church still try to adhere to traditional Catholic doctrines hope that the October Bishops' Synod and Francis himself will not officially endorse Kasper's proposals. But endorsement or non-endorsement will make no difference in the practical order. As with artificial contraception issue in the '60s, once you allow for widespread and well

publicized debates over whether to retain a Catholic moral principle or not, temporize over resolving the issue, and link ignoring the principle to the feel-good bromides of modern secular discourse (tolerance, individual conscience, human values, no-fault marriage failure, accommodation to “reality,” etc.), **the game is over. Those who reject the principle have already found their justifications for doing so.**

And to boot, our beloved, media-anointed Holy Father has already said we must not have a pharisaical, old-fashioned, “casuistic” approach to moral issues, but “walk with” people, show “mercy,” be “pastoral,” and respect the supremacy of the individual conscience, even for atheists, who can also get to heaven. So why can’t I, with my second marriage “in good conscience”? Or my third, or fourth, for that matter?

10. The First Step towards More. In his devastating critique of the Kasper address, published on March 1, Professor de Mattei warned:

Once the legitimacy of second-marriage cohabitation is admitted, **one cannot see why pre-matrimonial cohabitation, if it is stable and sincere, should not be permitted.**

Well, it doesn’t take much time in the Bergoglio pontificate to be proved a prophet. Sure enough, only three days later, we encounter an article entitled “Church teaching must change on sexual morality, says German bishop.” According to an account of an interview published in *National Catholic Reporter*, Bishop Stephan Ackermann of Trier, stated:

Declaring a second marriage after a divorce a perpetual mortal sin, and under no circumstances allowing remarried divorced people ever to receive the Sacraments, was not helpful - - “We bishops will have to make suggestions here. We must strengthen people’s sense of responsibility and **then respect their decisions of conscience.**”

It was also no longer tenable to declare that every kind of cohabitation before marriage was a grievous sin, and “the difference between natural and artificial birth control is somehow artificial.”

And speaking of contraception, we see in an interview with Bergoglio published the *following* day, the same duplicitous approach that Kasper, with his approval, took on the question of sacraments for the divorced and remarried. Bergoglio pays lip service to the principle, and then hints that it can be ignored in practice on “pastoral grounds.”

The question is not that of changing the doctrine, but to go deep and to ensure that pastoral care takes into account situations and what is possible for people.

And how did modernist clergy in the '60s ensure that “pastoral care” took into account “situations and what is possible for people”? As Bergoglio well knows, by either remaining silent when Catholics confessed using contraception or by telling them, “Follow your conscience.” Think it’s “possible” not to pop that birth control pill?

“Life is not all black and white, but is in fact full of little nuances,” Cardinal Kasper assured his listeners.

But the faithful Catholic knows that law of God is indeed black and white about those very principles that Kasper and his fan, Bergoglio, pay lip service to in *theory* but seek to overthrow in *practice* – that marriage is indissoluble, that adultery is wrong, and that the unworthy reception of the Eucharist is sacrilege.

Where, though, is the outrage at this frontal attack on Catholic dogma? Apart from Professor de Mattei in Italy and the *Rorate Cæli* blog in the English-speaking world, **there is nothing but silence from conservatives or traditionalists who are still part of the post-Vatican II church.** Is there not even *one* Novus Ordo bishop who still retains enough of the moral law and enough courage to denounce “Divorce Bergoglio Style” with all the force he can muster?

After fifty years of Vatican II, apparently not. So the revolution presided over by Jorge Bergoglio will increasingly gain momentum – *motus in fine velocior*, as Professor de Mattei predicts – causing everything that Catholics once regarded as solid to melt into air.

SHOULD I ASSIST AT A MASS THAT NAMES “POPE FRANCIS” IN THE CANON?

Sedevacantists Should be Consistent,
Especially Since the Advent of Bergoglio

Rev. Anthony Cekada

April 1, 2014

One hot topic endlessly discussed on traditionalist forums over the past few years is whether traditional Catholics should assist at a traditional Latin Mass in which the priest would mention the name of a false pope (like John Paul II, Benedict XVI or, currently, Francis) in the first prayer of the Canon.

These Masses are sometimes referred to as “*una cum* Masses,” because the Latin phrase into which the name of a reigning pope is inserted reads: *una cum famulo tuo Papa nostro N. (together with Thy servant N., our Pope)*

Now, those of us who have arrived at a correct understanding of the actual situation in the Church – so-called “sedevacantists” – affirm that Bergoglio/Francis is a heretic (if not an apostate) and therefore no true pope. So, on the face of it, *it makes no sense whatsoever* for us to participate in a Mass where, a few moments before the consecration, the priest proclaims that Bergoglio is *Papa nostro* – “our pope.”

In many parts of the world, however, the only traditional Latin Mass available may be one offered by a priest (Motu Proprio, FSSP, Society of St. Pius X or independent) who puts the false pope’s name in the Canon. Faced with choosing this or nothing, a sedevacantist layman is sometimes tempted to assist at the Mass anyway. Why could he not simply overlook the name, and “just go for the Mass”?

To answer this question, I turned to the writings of pre-Vatican II liturgists, canonists and theologians, as well as to various papal pronouncements and decrees. This is where we priests are *supposed* to look for answers, rather than just relying on gut, personal opinion and shooting from the hip.

Based on that research, I wrote a lengthy study entitled “The Grain of Incense: Sedevacantists and *Una Cum*

Masses” and published it in 2007.

My answer (roughly) was this: No, you can't just “overlook” a false pope's name in the Canon of a traditional Mass if you are a sedevacantist. His name there affirms that he is a true pope, and by actively assisting at such a Mass, you participate in that false affirmation. Since you *know* he's not the pope, this is sinful.

I provided all the theological documentation for that answer in “Grain of Incense.” But since reading a long article is not every traditionalist's cup of tea (even if I *did* manage to slide a few wisecracks into the footnotes...), I decided to write a short resumé of my arguments which was published in 2008.

Since then, of course, the supposedly “traditional” Ratzinger has been replaced by Bergoglio, and his crazy antics have started to make the previously unthinkable thought of sedevacantism *quite* thinkable for a lot of people. I thought it would be a good idea to update the original article here, in order to help these Catholics reason out the practical conclusions that flow from an understanding that the post-Vatican II popes are no true popes at all.

I. What Does the “Una Cum” Prayer Mean?

There are two ways of looking at this phrase: its *linguistic* meaning (What do the grammar, terms and context mean?) and its *theological* meaning (What doctrines does it express?)

(a) **Linguistically.** From this perspective, putting Bergoglio's name into the *una cum* in the Canon affirms that he is a *true pope* (“our pope”). Obviously, sedevacantists reject that.

It also affirms that Bergoglio is a *member of the true Church*, because his name is mentioned in the prayer for the Church.

Sedevacantists reject this too. For the very basis of our position is the teaching of canonists and theologians that *loss of membership in the Church* effects the automatic loss

of the pontificate in a heretical pope. Heresy in a pope puts him outside the Church and thus out of office.

(b) **Theologically (Doctrinally).** In “Grain of Incense” I summarized the standard theological meanings that various theologians, canonists and liturgists assigned to the *una cum* phrase in the Canon.

When we plug Bergoglio’s name into the prayer and apply *these* meanings to that phrase, here is what results:

- The heretic/false pope Bergoglio is “the head of the Church, the vicar of Christ, and the successor of blessed Peter.”
- The acknowledgment of the heretic/false pope Bergoglio in the Canon is “the chief and most glorious form of communion” with him, “the profession of a mind and will which firmly espouses Catholic unity.”
- The inclusion of the name of the heretic/false pope Bergoglio in the Canon specifies him as “the principle of unity.”
- Mentioning the name of the heretic/false pope Bergoglio in the Canon is a sign that you “are not separated from communion with the universal church.”
- The mention of the name of the heretic/false Pope Bergoglio in the Canon “is a proof of the orthodoxy of the offerer.”
- The heretic/false pope Bergoglio is the “ruling Pontiff, the visible pastor and the authorized intermediary with almighty God for the various members of his flock.”

Since we sedevacantists are logical about the situation in the Church – that Bergoglio is a heretic and no pope – these propositions are ridiculous.

Yet they are what results when a priest professes in the Canon that he offers the traditional Mass *una cum – together with Thy servant Francis, our Pope.*

II. Can't I "Withhold My Consent"?

The priest at an *una cum* Mass, of course, is the one who utters the objectionable phrase. Couldn't the sedevacantist in the pew who objects to it simply "withhold his consent" from that part of the Canon, but still assist at the Mass otherwise in order to fulfill his obligation or obtain sacramental graces?

Well, no. To fulfill your Sunday obligation or obtain sacramental graces at Mass requires *active* assistance or participation. This is an all-or-nothing proposition. You either actively assist or you don't.

In "Grain of Incense," I listed at least nine ways in which a Catholic actively assists at a traditional Mass when it is celebrated. Each of these is a true form of active assistance or participation, and according to Catholic teaching constitutes "cooperation or common action with another in the prayers and functions of worship."

I quoted various popes and pre-Vatican II theologians who taught that the laity who assist actively at Mass, in so doing, manifest their consent and moral cooperation with the priest as he offers the sacrifice. Indeed, **moral unity with the priest is required to fulfill the Sunday obligation.**

Finally, I demonstrated that the **Fathers of the Church**, and indeed **Pope Pius XII** himself in the Encyclical *Mediator Dei*, **teach specifically that the faithful who actively assist at Mass ratify, assent to and participate in the prayers of the Canon that the priest recites**, even though they do not vocally recite these prayers themselves.

Thus there is no way for the sedevacantist to avoid it. The same active assistance at Mass required for fulfilling your Sunday obligation also inextricably joins you to the action of a priest at the altar. So, when the priest proclaims during the Canon that he offers the sacrifice *together with Thy servant Francis, our Pope* – the arch-heretic and false pope Bergoglio, the priest's prayer is *your* prayer.

III. What is Wrong with Participating?

In “Grain of Incense,” I answered this question at great length. I demonstrated that if you have become a sedevacantist – concluded that Bergoglio is not a true pope – but actively assist at an *una cum* Mass nevertheless, by that fact you:

1. Tell a pernicious lie.
2. Profess communion with heretics.
3. Recognize as legitimate the Ecumenical, One-World Church.
4. Implicitly profess a false religion.
5. Condone a violation of Church law.
6. Participate in a sin.
7. Offer Mass in union with the heretic/false pope Bergoglio.
8. Recognize the usurper of an ecclesiastical office.
9. Offer an occasion for scandal.
10. In the case of Masses offered by “resistance” clergy (SSPX, its affiliates, and many independent clergy) participate in gravely illicit Masses and condone the sin of schism.

This list, I assure you, is not merely the product of my own personal whims and musings. It is based on the teachings of the various canonists, moralists, theologians, and papally-approved decrees I cited and quoted in my original article. If you are skeptical, read it.

Such acts are not ones you want to have on your conscience. A simple layman in good faith who had confused ideas about the pope question might not be subjectively culpable. But a sedevacantist who *has* figured out the issues?

IV. Objections, Please...

In “Grain of Incense,” I listed ten (10) anticipated objections to my argument, and, based on various theological sources, responded to each.

Here, I will recap only the more common ones and offer a brief response. For a fuller explanation, once again, see the article.

(a) **My Sunday obligation takes precedence?** False. There are many legitimate causes that excuse from this. Active assistance at an *una cum* Mass implicates you in (among other things) the recognition of the false church and religion of Vatican II. Obviously, that constitutes “notable spiritual harm” – one of the conditions that excuse Catholics from the Sunday obligation.

(b) **The priest “means well”?** Irrelevant. This does not change what the *una cum* means or the fact that you participate in it. The priest may not know any better – but as a sedevacantist, *you* certainly know better.

(c) **“Sedevacantist” priests have different opinions?** These opinions are only as good as the reasons behind them, and from what I’ve seen, these are mostly off the cuff reactions. But theology, not gut, has to be the basis for addressing such an important issue.

If any priest disagrees with my conclusions in “Grain of Incense,” I invite him to research the issue in the various sources I cited, and then offer a point-by-point refutation of my arguments. In the years since “Grain of Incense” first appeared, no one has yet attempted this, so I am confident that my arguments and conclusions stand.

(d) **My family and I will lose the graces of the Mass and thus the faith itself?** I will be blunt: You can obtain no graces at a Mass where you knowingly and actively participate in a sacrilegious lie that affirms the legitimacy of the false hierarchy and religion of Vatican II.

And as for your children, the crypto-modernism of the Motu Mass clergy – even if you do get the “good” ciborium with the validly-consecrated hosts – or the poisonous errors of SSPX on the papacy will eventually corrupt your children’s faith. In three decades as a priest, I have seen many families that were once solidly traditionalist surrender step by step to the new religion because of a decision to go to a “convenient” *una cum* Mass.

Don't take the first step on that path.

V. And Now, in Union with Bergoglio?

I suspect that many souls allowed the *una cum* issue to slide by because of the general perception that John Paul II and Benedict XVI at least gave the *appearance* of being somehow more “traditional,” and that this would somehow mitigate the act of a clueless priest who named either John Paul or Benedict in the Canon.

On this point, though, the election of Bergoglio is game-changer. He is an open modernist set on a course of implementing Vatican II and destroying the very foundations of the Church's magisterium. As I noted in a previous article in October 2013, this becomes apparent when you group together summaries of the outrageous statements Bergoglio has made on questions of faith and morals:

(a) *Faith*: There is no Catholic God, doctrinal security exists no more, he who claims to have all the answers does not have God within him, proselytism is nonsense, atheists can go to heaven, etc.

These declarations blow away the meaning of the Creed, the nature of God, the possibility of arriving at doctrinal truths, the divine mission to convert others to those truths, and faith as a requirement for eternal salvation.

(b) *Morals*: Moral teachings (on the 6th and 9th commandments) are a disjointed multitude of doctrines that cannot be imposed insistently, one must not obsess about such matters (abortion, gay “marriage” and contraception), what is objectively adultery admits of a “pastoral solution,” who am I to judge, each one has his own vision of good and evil, spiritual interference in personal life is impossible, etc.

These declarations portray mortal sins as trifles, castigate as “obsessed” those who say otherwise, trivialize adultery, reprove moral judgments, enthrone the conscience as autonomous and supreme, and effectively renounce the right of the magisterium to tell the individual conscience *anything*.

Since I wrote the foregoing, we have seen Bergoglio misrepresenting the contents of the (blasphemous) Koran and publicly encouraging Moslems to follow it, address a Protestant layman his “brother bishop,” characterize Protestant pentecostalism as a manifestation of the Holy Ghost, wink at contraception and “civil unions,” and most recently, praise a speech by Cardinal Walter Kasper that paved the way for giving sacraments to Catholics in (adulterous) second marriages.

Could any sedevacantist in his right mind now defend the proposition that assisting at a Mass where such a heretic is proclaimed a true pope, and indeed offered **in union with him**, is *not* offensive to God, and simply a matter of mere indifference?

* * * * *

For those who have not yet read our original article, its title, “Grain of Incense,” might seem a little puzzling. It alludes to the Roman practice during the persecutions of allowing a Christian to escape death if he would put but a *single grain of incense* into a fire set up to honor false gods. Time and again, Christians chose martyrdom rather than make this one small act of tribute to a false religion. One touching account is found in the *Roman Martyrology* and chanted each year on the Vigil of Christmas:

At Nicomedia, many thousand holy martyrs. Upon the feast of Christ’s birth they had come together unto the Lord’s house, and the Emperor Diocletian ordered the doors of the church to be shut, and all things made ready for fire round about it. Then he set a tripod and incense in front of the door, and sent an herald to proclaim in a loud voice that whosoever would escape burning should come forth and offer incense unto Jupiter. **Whereunto they all replied with one voice, that they would far rather die for Christ’s sake;** whereupon he kindled the fire and they were consumed, and were born in heaven upon that same day whereupon it had pleased Christ to be born into this world to save it.

Vatican II and the post-Conciliar “popes,” as we know, have sought to create a dogma-less, ecumenical, one-world religion – a big tent for all religions, under which each is regarded as more or less good. There is a place for you in this circus, even if you are “attached” to the traditional Latin Mass. All you have to do is recognize Bergoglio as your ring-master.

This is what you do when you actively assist at a Mass in which the priest – Motu Proprio, FSSP, SSPX, or independent – proclaims in the Canon that he offers Mass *together with Thy servant, Francis, our Pope and all true believers and professors of the Catholic and Apostolic Faith.*

Better to have no Mass at all, than partake in such a blasphemy. Better to die than offer this grain of incense to the ecumenical religion of the anti-Christ.

BERGOGLIO'S NEW "MARRIAGE MESS"

A Papal Phone Call and Sacraments for the Invalidly Married

Rev. Anthony Cekada

April 28, 2014

"I want a mess," said Jorge Bergoglio during World Youth Day in Rio last year – and boy, is he making one.

I'm not referring to the John XXIII/John Paul II canonization but to another potentially more momentous incident that's been obscured by it.

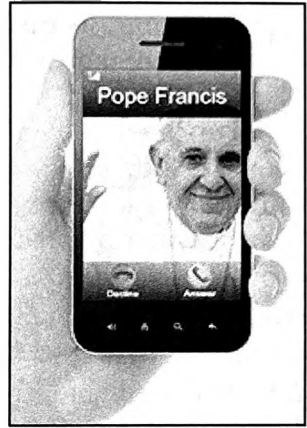
On Easter Monday, Francis phoned an Argentine woman who had been refused communion by her parish priest for living in an invalid marriage. Bergoglio told her she could "safely receive Communion, because she is doing nothing wrong."

Such advice, of course, would baldly contradict – make a mess of – the divine law on the indissolubility of marriage and on the worthiness required for those who receive the Eucharist.

Absolutely everyone knows the Church has always taught that marriage is indissoluble, that divorce and subsequent attempted remarriage is a sin, and that those living in the latter situation cannot receive the sacraments, period.

But thanks to Vatican II, the overwhelming majority of those who now call themselves Catholics want to see that teaching overthrown. And Bergoglio has repeatedly made it clear he sides with them. (See my article *Divorce Bergoglio Style*.)

The implications of the story are overwhelming. In an extremely perceptive article that appeared in *The New York Times*, Ross Douthat discusses several scenarios of what the phone call portends for Catholic teaching. The "most perilous," he says, is this:



Francis could actually be considering a truly major shift on remarriage and communion, in which the annulment requirement is dispensed with and (perhaps) a temporary penance is substituted.

Such a shift wouldn't just provoke conservative grumbling; it would threaten outright schism. The Church has famous martyrs to the indissolubility of Christian marriage, and its teaching on divorce and adultery is grounded not just in tradition or natural law, but in the explicit words of Jesus of Nazareth.

This means that admitting to communion people the Church considers to be in permanently adulterous relationships wouldn't just look like a modest development in doctrine. It would look like a major about-face, a doctrinal self-contradiction.

After word of the Bergoglian cold-call spread, appalled conservative bloggers like Fr. Zuhlsdorf and Jimmy Akin went into full spin mode, trying to minimize its import. Damian Thompson, on the other hand, called the story “a hand grenade into traditional teaching on divorcees and Communion,” and predicted that “the Catholic world will divide into celebration and panic.”

And the official word from the Vatican? A firm denial, perhaps, coupled with a declaration that “The Holy Father did *not* and would *never* make such a statement, because to do so would undermine the Church's constant teaching and practice on the matter”?

Uh, no.

The Holy See Press Office, instead, tried to downplay the account – but **did not deny that it was substantially accurate**. Reports about the call, said Fr. Federico Lombardi, were a “source of misunderstanding and confusion.” (!)

He added, “consequences relating to the teaching of the Church are not to be inferred from these occurrences.”

That is just the sort of consoling thought conservatives would like to take refuge in when faced with the latest Bergoglio mess: “Francis may be a little naïve and unpredictable, but there's nothing to worry about here.”

But the very opposite is true, and it is time for uneasy

conservatives to focus on the unpleasant reality that the “naïve” Francis has quite deliberately launched an across-the-board process of radical transformation.

For this we have the word of Cardinal Oscar Rodríguez Maradiaga, head of Bergoglio’s eight-cardinal advisory council. Francis, he said recently, is seeking to build a “new way of being church”:

There is a new concept of church here - - There is a new way of thinking, including the way of governing in the church, here.

What is this “new way”? Looking back over the catalogue of Bergoglian messes, we can see a pattern emerge.

Bergoglio sows the seeds of change through what at first appears to be chaos. But far from being misrepresented in the secular media, he manipulates it to his ends with a peasant-like cunning.

In a few short months, therefore, Francis has positioned himself as “the people’s pope” and become a world-wide object of adoration, thanks to self-aggrandizing gestures designed to showcase his “humility,” “compassion,” “simplicity,” contempt for “small-minded rules,” indifference towards sexual immorality, and moralizing on social issues dear to the left (immigration, income disparity, unemployment and “climate change.”)

All this Francis does in hopes of reversing the disastrous effects of Vatican II. Modern man abandoned the Church after the Council, and the JP2/Ratzinger attempt to lure him back by putting a traditional veneer on the revolution fell flat on its face – or on its lace and silk damask-upholstered posterior, if you prefer.

The cardinals elected Bergoglio hoping a new direction would work. So on his watch, the prescription for the cure has changed to still *more* Vatican II, still *more* innovations, still *more* accommodations with the world, still *more* “renewal.”

Tradition is out. Transformation is in.

To this end, Bergoglio is, as the saying goes, “a man with

a plan.” He’s set on using new methods to transform Catholic doctrine and moral teaching into the modernist dream. And his method is the “mess.”

1. Press Interviews

Bergoglio is particularly adept in using this tool to speed the transformative process along.

One-liners from his press interviews are repeatedly quoted, the most popular being “Who am I to judge?” Francis has told us there is no Catholic God, doctrinal security exists no more, he who claims to have all the answers does not have God within him, proselytism is nonsense, atheists can go to heaven. Other pithy sayings include a whole array of barbs against “small-minded rules,” “Pelagian” traditionalists, “ideology,” “casuistry,” and generally, any vestiges pre-Vatican II Catholicism.

The effect overall, as the modernist writer Richard Rohr pointed out, is that Francis

... has forever changed the Catholic conversation. We can never go completely backward. No one can ever say a validly elected pope, with all that implies in anyone’s mind, did not say the things Francis said in the interview published Thursday. **They will be quoted for a long time to come. It is now a part of the authoritative data, like the Gospels themselves, and must be reckoned with.**

Indeed, as the title of Rohr’s article says, “It will be hard to go backward after Francis’ papacy.”

It was no accident therefore that in his first press interview, given in July 2013, Francis hinted at changing the policy on sacraments for the invalidly married.

2. “Private” Communications

Bergoglio has repeatedly used other informal, supposedly private communications to get his message out. His “brother

bishop” video for the Copeland Ministries Conference, his meeting with South America religious superiors, and his comments to an Austrian missionary bishop allowing for the possible married priests immediately come to mind.

His latest phone call is another example of **making a mess to get out the message**. Francis, the Argentine woman said, “told me to go and take Communion in a different parish.” He also said he was “dealing with the issue” of Communion for divorced and remarried Catholics.”

Of *course* this woman is going to repeat to others what he said to her! A phone call from the pope is news. The first question from anyone, especially a reporter, is: “What did the pope say?” And if the answer causes a controversy, all the better!

And that’s why Bergoglio made this particular mess – to get the word out that the teaching on sacraments for the divorced and remarried is going to change.

3. “Cardinal Communicators”

This is another necessary ingredient in chef Bergoglio’s mess hall, as we can see from the February consistory (meeting of cardinals).

Bergoglio used this occasion as well to promote his proposal to give sacraments to the invalidly married. He deputed Cardinal Walter Kasper to speak on the topic, and when some of the cardinals pushed back, Bergoglio doubled down. He gave the speech an explicit and public endorsement the next day – “serene theology,” he called it – and then authorized leaking its text to the press.

And the advisory council top banana, Cardinal Maradiaga, has become Bergoglio’s principal conduit for circulating radical “reform” proposals and for promoting more openly modernist theological teachings.

Having Maradiaga as his stalking horse allows Bergoglio to encourage fellow modernists, to acclimate the laity to future changes and to undermine potential conservative opposition. At the same time, Maradiaga provides Bergoglio

with a cushion of “plausible deniability” if one of his proposals goes awry or provokes *too* much open opposition.

Bergoglio used Maradiaga very effectively in the public controversy over the German bishops new policy favoring sacraments for the invalidly married. When the head of the Vatican’s own Congregation for the Doctrine of the Faith, Cardinal Gerhard Müller, issued a letter reproving the bishops, Maradiaga was dispatched to give an interview dismissing Müller’s criticisms.

4. Ignore the Rules

This *guarantees* a mess, especially since a superior who ignores the rules encourages contempt for law in his subjects. Bergoglio has done it time and again, be it for customs connected with papal office, liturgical regulations, or most recently, canonization procedures.

In the course of a year, Bergoglio has bypassed even the liberalized post-Vatican II canonization rules no less than six times. In the case of John XXIII and John Paul II, the requirement for miracles had to be set aside because canonizing these two men is a symbolic way to canonize the Vatican II revolution, which Bergoglio wants to carry to its logical conclusion.

In bending these rules, moreover, Bergoglio is telegraphing a not-so-subtle signal to laggards and potential opponents: He won’t allow “small-minded rules” to stand in the way of his larger goals, cuz he be da man!

Nor will he, as we saw in the latest phone call incident, hesitate to ignore normal decision-making channels in the Church, especially if he can manifest his...

5. Contempt for Conservatives

This Bergoglio has conveyed on countless occasions in countless ways since his election. For proof, one need look no further than the tongue-in-cheek but utterly factual “Pope Francis’ Little Book of Insults” that was posted on the web several

month ago. Virtually all of his targets are “on the right.”

Bergoglio’s recent phone call is a particularly outrageous example of this contempt. The parish priest who told the Argentine woman that she was forbidden to receive communion or absolution until she removed herself from an occasion of sin had faithfully applied what are *still* the official rules in the Novus Ordo.

Yet according to the woman, Bergoglio told her to go to another parish for sacraments, adding “there are some priests who are more papist than the pope...”

This statement is utterly consistent with Bergoglio’s well-documented vitriol against conservatives.

The consequences of the phone call incident will be devastating. The all-out modernists among the post-Vatican II clergy who give sacraments to the invalidly married will now be able to say that they are only following the pope’s example of “pastoral solicitude.”

Priests who have tried to be faithful to what is still officially post-Vatican teaching, on the other hand, will be reproached by modernist colleagues and members of the laity for trying to be “more papist than the pope.”

Many traditionally-minded priests in the Novus Ordo institution will simply surrender on the issue and give sacraments to the invalidly married. Why bother to fight with people, to play the bad guy, to enforce principles if even the Pope not only undermines me and others like me, but also speaks of us with utter contempt?

* * * * *

“Chaos Frank” is the pithy moniker that *Novus Ordo Watch* conferred on Jorge Bergoglio not long after his election, and it’s one that beleaguered conservatives, especially after his latest cringe-inducing cold call, may now think is not that far off the mark.

But should they feel reassured by the statement of another Vatican spokesman, Rev. Thomas Rosica, that any comments made by the Francis should not be construed as a

change in church doctrine? “The magisterium of the church,” he declared, “is not defined by personal phone calls.”

Well don’t bet on it. Bergoglio and others like him will never directly deny the doctrine of the indissolubility of sacramental marriage, or state that Church teaching on it has changed. Rather, they will do an end run around it in practice, stating that the Church is merely taking a “more pastoral” approach in applying the doctrine.

The Bergoglio buzzword “pastoral,” as we have explained elsewhere, is the ’60s modernist code for undermining faith and morality through experience and actions.

And that, of course, is just what Bergoglio did here. **The advice he gave to the Argentine woman was to ignore Church doctrine in practice. In effect it is to DENY the teaching.**



Leonid Brezhnev (center), General Secretary of the Communist Party of the Soviet Union in 1964-1982

A typically pessimistic sedevacantist reading of what’s going on here, perhaps?

Well not unless we’ve pulled off a stealth takeover of the *New York Times* op-ed page. Here’s yet another possible explanation that Ross Douthat offers for the Bergoglio phone call:

One is what you might call the late-Soviet scenario, in which Catholic doctrine is officially unaltered, but the impression grows that **even the pope doesn’t really believe these things**, and that when the church’s leaders affirm a controversial position they’re going through the ideological motions – like Brezhnev-era apparatchiks – and not actually trying to teach a living faith.

“Even the pope doesn’t really believe these things” – that was Mr. Douthat’s emphasis, not mine.

And “going through ideological motions,” “not actually trying to teach a living faith” – not the words of a sedevacan-

tist blogger either.

The same process we see at work in the phone incident will be repeated over and over throughout the Bergoglio “pontificate,” as he speedily turns Catholicism into nothing more than a content-free “brand.” Like your favorite beer, basketball shoes or sports team, you will have a certain loyalty to it born of habit, but you won’t look to it for God’s immutable truths or for objective moral principles by which you actually run your life. If “even the pope doesn’t really believe these things,” why should you?

Yes, Papa Gaga loves a mess. But when it comes to what he’s really after – a radically transformed Catholicism – he’s not so gaga after all.

A HYMN TO ST. PIUS V, “SAINT OF THE MASS”

Rev. Anthony Cekada

May 4, 2014



As a church musician and priest who offered the traditional Latin Mass, I always thought it a pity that the pope-saint who promulgated the Missal in 1570 did not seem to have a hymn honoring him. So more than twenty-five years ago, when I was a priest at St. Pius V Chapel, Oyster Bay Cove, New York, I decided to write one.

The first question was the melody. I happened upon a lovely Irish tune (Is there any other kind?),

occasionally used with the text “Hail Glorious Saint Patrick,” and arranged by the eminent Richard Runciman Terry. Since my poetic gifts are rather limited, I also noticed that the St. Patrick text and its rhyme scheme could be nicely adapted to the praise the virtues of the “Saint of our Mass,” as well as to explore the theme of exile and persecution – the fate not only of the Irish, but also of the Mass of St. Pius V and those Catholics who remained faithful to it. (At that point, we had just moved our Mass to a church after fifteen years in a beer hall.)

Here is the hymn text, a copy of the sheet music and a recording of our choir singing it after Mass on May 4, the day before the saint’s feast. Happy St. Pius V Day!

*(1) Hail, glorious Saint Pius, great Vicar of Christ,
O keep us e'er faithful to the true Sacrifice,
Its splendor and beauty, the light of the earth,
Its law of believing, the right of our birth.*

*(2) Hail, glorious Saint Pius, thy voice was once strong
Against all false worship and a heretic throng;
Though great is the courage thy words yet impart,
Still greater thy power, in heav'n where thou art.*

*(3) In the war for the Mass, in the fight for the faith,
Dear Saint, may thy children resist unto death;
May their strength be in Mary, her Ros'ry their prayer,
Her Son's royal banner the standard they bear.*

*(4) Though barren and empty the altars once raised
To honor Christ's presence and resound with His praise;
Though exiled the worship thou once didst restore,
Dear saint, keep us faithful till time be no more.*

*(5) And now thou art near to Christ's altar above,
On our scattered altars look down in thy love;
And our hearts shall yet burn, wheresoe'er we may roam,
For the Mass and Saint Pius, and our heavenly home.*

*- Rev. Anthony Cekada
1988*

M. Owen Lee, C.S.B.
& ed.

Unison, 2 part S&A, TorB, 3 part S&A, TorB, or 4 part

Ancient Irish Melody
Arr. R.R.T., alt.



Addendum: After this was posted, a correspondent very kindly sent me a link to a Latin hymn to St. Pius V to which Pius VII attached a plenary indulgence

Belli tumultus ingruit,
Cultus Dei contemnitur;
Ultrixque culpam persequens
Jam pœna terris imminet.

*Quem nos in hoc discrimine
Cœlestium de sedibus
Præsentio rem vindicem,
Quam te, Pie, invocabimus?*

Nemo, beate Pontifex,
Intensiore robore
Quam tu, superni numinis
Promovit in terris decus.

Quem nos...

Ausisve fortioribus
Avertit a cervicibus,
Quod Christianis gentibus
Jugum parabant barbari.

Quem nos...

Tu comparatis classibus,
Votis magis sed fervidis
Ad insulas Echinadas
Fundis tyrannum Thraciæ.

Quem nos...

Absensque eodem tempore,
Hostis fuit quo perditus,
Vides, et adstantes doces
Pugnæ secundos exitus.

Quem nos...

Majora qui cœlo potes,
Tu supplices nunc adspice,
Tu civium discordias
Compesce, et iras hostium.

Quem nos...

Precante te, pax aurea
Terris revisat, ut Deo
Tuti queamus reddere
Mox lætiora cantica.

Quem nos...

Tibi, Beata Trinitas
Uni Deo sit gloria,
Laus, et potestas omnia
Per sæculorum sæcula. Amen.

V. Ora pro nobis, Beate Pie.

R. Ut digni efficiamur promissionibus Christi.

Oremus.

Deus, qui ad conterendos Ecclesiæ tuæ hostes, et ad divinum cultum reparandum beatum Pium pontificem maximum eligere dignatus es: fac nos ipsius defendi præsidiiis, et ita tuis inhærere obsequiis, ut omnium hostium superatis insidiis perpetua pace lætemur. Per Dominum nostrum Jesum Christum Filium tuum... Amen.

BERGOGLIO'S GOT NOTHING TO LOSE...

... so the Sedevacantist Argument Must Change

Rev. Anthony Cekada

May 7, 2014

Since Jorge Mario Bergoglio's election in March 2013, I've heard from more and more traditional Catholics who are starting to wonder whether sedevacantism might now be the *only* coherent way to explain the state of affairs in the post-Vatican II church. As I noted in a post late last year:

After all, how can you reconcile the countless outrageous public statements that Bergoglio has made (no Catholic God, who am I to judge, doctrinal security is not possible, proselytism is nonsense, etc.) with the claim that he is indeed the true Successor of Peter? On the face of it, you can't.

Since then, Bergoglio's doctrinal body count has steadily continued to rise with his whitewashing of the vile Koran in *Evangelii Gaudium*, his "brother bishop" address to a Protestant Pentecostal gathering, his attaboy for a cardinal's speech proposing sacraments for the invalidly married, his canonization of the modernists John XXIII and John Paul II, and only two weeks ago, his personal phone call to an invalidly married woman, telling her she should receive the sacraments.

Instituting a general policy of giving sacraments to the invalidly married, in fact, is one of Bergoglio's main goals. That is too much even for some Vatican officials, one of whom recently told Vatican commentator John Thavis: **"If that happens, we've crossed the line into heresy."**

As it accumulates, all this evidence reinforces the conclusion from our November post last year:

The only explanation that makes any sense alongside the Catholic (pre-V2) theology of the Church and the papacy is sedevacantism. Bergoglio is not a real pope, and the papal office is therefore objectively vacant (*sede vacante* = the Holy See is vacant). The man who deposited a beach ball on the altar of a Roman

basilica and, more recently, donned a clown nose, is not, thank God, a real pope, despite the fact that he wanders around in a white cassock.

Catholics who finally arrive at this conclusion will tell you that they feel a sense of relief. No longer do they have to square the duty of submission to the Roman Pontiff with the circle of Bergoglio's three-ring circus.

I. Anxiety Attacks over Sedevacantism

On the flip side, the increased interest in sedevacantism is causing considerable unease in the R&R wing of the traditionalist movement – the Society of St. Pius X (SSPX), *The Remnant*, *Catholic Family News* and many others. These traditionalists maintain that Catholics may “recognize” a pope and simultaneously “resist” him. For decades, the R&R folks have denounced sedevacantism as “schismatic,” a “false solution,” or an “exaggeration,” an assessment that seemed plausible to many trads because the heresies of JP2 and B16 were sometimes of a more subtle nature.

But with Bergoglio, the errors are up front and in your face. No Catholic God? Some Pentecostal Bible-banger is a brother bishop? Communion for the invalidly married? Even Aunt Helen would have trouble “recognizing” this guy as a true pope.

Faced with a burgeoning Bergoglio problem, R&R partisans stepped up their attacks against the sedevacantist thesis, especially as a lead-up to the canonization of John XXIII and JP2, which they naturally rejected.

So, beginning in January 2014, Bishop Richard Williamson posted a series of articles entitled “Sedevacantist Anxiety,” while his former SSPX colleagues in the U.S. promoted “Sedevacantism: A Dead-End Error,” a summary of links to past anti-sede articles. *The Remnant* ran “The Easy Way Out: Avoiding the Trap of Sedevacantism,” by contract law expert Brian McCall (“easy way out,” I suppose, being a big preoccupation in contract law...), while *Catholic Family*

News published “Pope Francis, Archbishop Lefebvre and Sedevacantism” by tax lawyer John Salza.

Catholic Family News returned to the topic in April with Robert Siscoe’s “Bellarmine and Suarez on the Question of a Heretical Pope.” Faithful to the level of scholarship one has by now come to expect from the R&R camp, Mr. Siscoe (1) attempted to trump what eventually became the unanimous teaching of academic theologians after Bellarmine on a heretical pope with a quote from a 19th-century American vernacular canon law manual, (2) recycled citations to works whose originals he had obviously never read (the cites are from Silveira’s 1971 *Considerações*), and (3) improperly cobbled together two passages from Bellarmine that occur *four columns apart*, in order to convey the false impression that Bellarmine requires two “warnings” before one can say that a heretical pope has fallen from office.

Sooner or later, these and most anti-sede writings over the past thirty-five years all wend their way back to objections related to the *loss of office* by a heretical pope.

It occurred to me, therefore, that **the time has come for sedevacantists to abandon this part of their argument, for the simple reason that it no longer applies in the Age of Bergoglio.**

II. Old Argument: Paul VI Lost It

The sedevacantist thesis arose from a need to explain how Paul VI, whom everyone at first recognized as a true pope when he was elected in 1963, could have used papal authority to promulgate doctrinal errors and evil laws.

The answer, as we now know, was to be found in a principle repeatedly laid down by pre-Vatican II theologians and canonists: A pope who became a public heretic automatically lost his office and papal authority. The principle applied on all fours to Paul VI, so one had a coherent explanation.

But what of his successors? Initially, many trads did not know exactly what to expect from John Paul I and John Paul

II. (Believe it or not, the internet did not exist in those days, and information was hard to come by...) So sedevacantists tended to apply to both men the *same* theological principle they had previously applied to Paul VI – that is, the *loss* of office (authority) by a heretical pope who had validly obtained it.

In the 1990s, my own research into this question, first presented in “Traditionalists, Infallibility and the Pope,” turned up many quotes to support this principle. At the same time, I encountered another theological twist: Not only did a public heretic cease to be pope, but also **a public heretic could not *become* pope in the first place.**

III. New Argument: Bergoglio Just Didn’t Get It

It is to this theological principle (rather than “loss of office”) that sedevacantists must now appeal when discussing Bergoglio’s status. As a public heretic, **Bergoglio could not have been validly elected pope.**

The underlying reason is that public sin of heresy cuts one off from the Church. Commenting on Pius XII’s Encyclical *Mystici Corporis*, the theologian Van Noort observes:

The same pontiff has explicitly pointed out that, unlike other sins, heresy, schism, and apostasy automatically sever a man from the Church. “For not every sin, however grave and enormous it be, is **such as to sever a man automatically from the Body of the Church, as does schism or heresy or apostasy.**” (§30) (*Dogmatic Theology II: Christ’s Church*, 153)

When it comes to the specific question of electing a man to be pope, theologians apply the principle this way: someone who is *severed* from the Church through public heresy cannot hold authority *within* the Church, still less, be its head on earth.

Moreover, canonists state that **the invalidating prohibition** against electing a heretic is **a matter divine law.** When treating the requirements for election to the papal office, numerous pre-Vatican II commentaries on the Code of Canon Law lay down just this principle. Thus:

MAROTO: “*The Person Elected*: - - A) **The validity of the election, as regards the person elected, depends only upon divine law – in other words, no other impediments except those laid down by divine law, render the election of a Roman Pontiff invalid** - - Therefore, for the valid election of a Roman Pontiff now it is required and suffices that the person elected be: - - c) **A member of the Church, for he who does not belong to the Church is considered incapable of possessing jurisdiction**, especially ordinary jurisdiction, and cannot actually be the head of that Church. For this reason, infidels and the unbaptized can **in no way be validly elected. So too, the divine law itself bars heretics and schismatics** from the supreme Pontificate. For although divine law does not regard them as incapable of a type of participation in the Church’s jurisdiction (# 576, A [*on supplied jurisdiction*]), **they must certainly be regarded as excluded from occupying the throne of the Apostolic See, which is the infallible teacher of the truth of the faith and the center of ecclesiastical unity.**” (*Institutiones I.C.*, 2:784)

WERNZ-VIDAL: “Those capable of being **validly** elected are all who are not prohibited by **divine** law or by an invalidating ecclesiastical law - - Those who are barred as **incapable of being validly elected** are all women, children who have not reached the age of reason; also, those afflicted with habitual insanity, the unbaptized, **heretics**, schismatics...” (*Jus Canonikum* 1:415)

CORONATA: “III. Appointment of the office of the Primacy. 1. What is **required by divine law** for this appointment: - - Also required for validity is that the appointment be of a member of the Church. **Heretics and apostates (at least public ones) are therefore excluded.**” (*Institutiones* 1:312).

BADIUS: “c) The law now in force for the election of the Roman Pontiff is reduced to these points - - Barred as **incapable of being validly elected** are all women, children who have not reached the age of reason; also, those afflicted with habitual insanity, the unbaptized, **heretics** and schismatics...” (*Institutiones*, 160)

COCCHI: “For the **validity** of the election as regards the person elected, it suffices only that he **not be barred from the office**

by divine law – that is, any male Christian, even a layman. The following are therefore **excluded**: women, those who lack the use of reason, infidels, and **those who are at least public non-Catholics.**” (*Commentarium in C.J.C.*, 2:151)

SIPOS: “Any male who has the use of reason and who is a member of the Church may be elected. The following, therefore, are **invalidly elected**: women, children, those suffering from insanity, the unbaptized, **heretics**, schismatics.” (*Enchiridion I.C.*, 153)

FERRERES: “Anyone who does **not have an impediment of divine law** can be **validly elected** - - For this reason, only women, children lacking the use of reason, the insane, the unbaptized, **heretics** and schismatics **are excluded.**” (*Institutiones Canonici*, 1:407)

NAZ: “Anyone may be elected who is **not barred from the office by divine law** or ecclesiastical law. Women, children, the insane, the unbaptized, **heretics** and schismatics **are barred.**” (*Traité de Droit Canonique*, 1:365)

This general principle of divine law is even found in an ecclesiastical law promulgated by **Pope Paul IV** (1555-1559), who suspected that a cardinal who was a likely candidate for the papacy in the next conclave was in fact a secret heretic.

On 16 February 1559, therefore, Paul IV issued the Bull *Cum ex Apostolatus Officio*. The pontiff decreed that if ever it should ever appear that someone who was elected Roman Pontiff had beforehand “deviated from the Catholic faith or fallen into any heresy,” his election, even with the agreement and unanimous consent of all the cardinals would be “null, legally invalid and void.”

So the possibility that a conclave could elect a heretic is not some post-Vatican II sedevacantist fantasy. A real pope actually *promulgated a law* to prevent this possibility. And his decree laid down the same principle which the canonists quoted above said was **divine law**: a heretic cannot be validly elected pope.

IV. How the Principle Changes the Discussion.

A. Clearing the Clutter. Appealing to the foregoing principle clears the clutter of irrelevant objections that the R&R camp raises against the loss of office principle. (For an idea of how many there are, see my article “Sedevacantism and Mr. Ferrara’s Cardboard Pope” – and yes, Mr. Ferrara is another lawyer...) No longer will one have to answer for the n^{th} time R&R arguments like:

1. *The First See is judged by no one.* (Response: “As a heretic, Bergoglio never truly obtained ‘the First See,’ so no one is ‘judging’ it.”)
2. *You need a Council to judge that a pope has fallen into heresy.* (“As a heretic, Bergoglio was never pope in the first place.”)
3. *Due process rules dictate that a pope be given an opportunity to retract.* (“As a heretic, Bergoglio was never pope in the first place.”)
4. *Cardinals must give a pope two canonical warnings before he can lose office.* (“As a heretic, Bergoglio was never pope in the first place.”)
5. *Suarez and Cajetan support the idea that a pope does not lose his office until the Church somehow issues a judgement that he has.* (“As a heretic, he never truly obtained the office in the first place.”)
6. *Honorius, John XXII and other popes “fell into heresy,” but were not considered to have lost their office.* (“Even assuming they ‘fell into heresy,’ unlike Bergoglio, they were *not* heretics when elected.”)
7. *Pius XII’s conclave legislation allows a person to be validly elected pope even if he incurred excommunication or another impediment “of ecclesiastical law.”* (“Heresy is not an impediment of *ecclesiastical* law but of *divine* law.”)

Poof! In the face of the principle laid down in the foregoing section, all these spurious objections disappear.

B. Focus on the SIN of Heresy. Hitherto, the R&R camp, following the arguments of Michael Davies, has insisted that no one, especially a pope, can be considered a heretic unless all the principles and procedural rules in the Code of Canon law pertaining to the *crime* of heresy are punctiliously observed. Thus, one must have official warnings, the accused must be given an opportunity to mount a defense, some sort of tribunal must be convened, the excusing causes canon law provides must all be carefully considered, etc.

But note: the canonists quoted in section III explicitly state that it is **divine law** that prevents a public heretic from being validly elected. This means that the **sin of heresy** suffices to prevent someone from becoming a true pope. There is no requirement that he first be convicted under **ecclesiastical law** of the **canonical crime of heresy** before the impediment applies.

In the case of heresy, warnings and the rest of the canonical rigmarole come into play only for the *crime*. These are not required as a condition for committing the *sin* of heresy against divine law. The canonist Michel draws the clear distinction for us:

Pertinacity does not of necessity include long obstinacy by the heretic and warnings from the Church. A condition for the sin of heresy is one thing; a condition for the canonical crime of heresy, punishable by canon laws, is another. (Michel, "Héresie," in DTC 6:2222)

If meeting all the canonical criteria *were* a requirement, rest assured that Maroto, Wernz-Vidal, Coronata, Badius, Cocchi, Sipos and Ferreres would have explicitly told us so in the passages quoted above by qualifying the word "heretic" with the precise canonical terms employed for someone formally convicted of that canonical crime. Instead, they simply said **heretic**.

C. The "Pope-by-Default" Objections. Defeated by an unassailable general principle that leads to a logical conclusion, the R&R camp will no doubt continue to offer the usual

“Pope-by-default” objections, implying these can somehow turn a heretic into a true pope by default. “The Church *must* have one, and who else is there?” Here are the common ones, together with responses, based on the teachings of various pre-Vatican II theologians:

1. *Vatican I taught there would be “perpetual successors” in the Primacy.* Response: “Perpetual successors” means that the *office* of the Primacy is perpetual – was not limited to St. Peter alone, but “a power that will perpetually endure to the end of the world.” (Salaverri, *de Ecclesia* 1:385)
2. *A long vacancy would change the nature of the Church.* The monarchical nature of the Church “does not prevent the Church, for a short time after the death of a pope, or even for many years, from remaining deprived of her head. Her monarchical form also remains intact in this state. - - The perennial physical presence of the person of the head, however, is not so strictly necessary.” (Dorsch, *de Ecclesia* 2:196-7)
3. *How could we then get a true pope one day?* The various theories are direct divine intervention, the material/formal thesis and an imperfect general council, the latter of which is taught by the theologian Cajetan. (*de Comparatione* 13, 742, 745)
4. *Sedevacantism destroys the visibility of the Church.* There is nothing to prevent the Church from being reduced to a small number (“the Son of Man, when he cometh, shall he find, think you, faith on earth,” Lk 18:8). Moreover, the very *purpose* of visibility – the Church as the “column of truth to the nations” – is defeated by the heresies of the post-Vatican II body.
5. *The universal acceptance of the post-Conciliar popes confirms that they are true popes.* Circular argument: Heretics, who are *outside* the Church, confirm as *head* of the Church *another* heretic who is

outside the Church. Well, nice if you can manage it! And besides, *sedevacantists* reject the post-Vatican II popes. What are we? Chopped liver? So the acceptance is clearly *not* universal.

6. *It is impossible that so many Catholics could be wrong and only the sedevacantists right.* “There seems to be no reason why a false Church might not become universal, even more universal than the true one, at least for a time.” (Berry, *Church of Christ*, 155)

Look closely at each of the objections again. None of them even pertain to – still less defeat – the underlying principle for the sede thesis: That a **public heretic who lacks the faith of Peter cannot by divine law obtain the authority of Peter.**

V. Just Apply the Principle to What Is Obvious

This principle makes for a very straightforward and easy-to-understand argument that Bergoglio is a false pope. All one need do is apply it to what is now clear as day. It should be obvious to anyone who *has* the Catholic faith that Bergoglio did *not* have it, and that when he was elected, was **already** a heretic, if not a total apostate.

How *else* could a supposed cleric assert there is no Catholic God, doctrinal security exists no more, he who claims to have all the answers does not have God within him, proselytism is nonsense, atheists can go to heaven, etc. – declarations that blow away the meaning of the Creed, the nature of God, the possibility of arriving at doctrinal truths, the divine mission to convert others to those truths, and faith as a requirement for eternal salvation?

How *else* could a cleric assert that moral teachings (on the 6th and 9th commandments) are a disjointed multitude of doctrines that cannot be imposed insistently, one must not obsess about such matters (abortion, gay “marriage” and contraception), what is objectively adultery admits of a

“pastoral solution,” who am I to judge, each one has his own vision of good and evil, spiritual interference in personal life is impossible, etc. – declarations that portray mortal sins as trifles, trivialize adultery, reprove moral judgments, en-throne the conscience as autonomous and supreme, and effectively renounce the right of the magisterium to tell the individual conscience *anything*?

Are we supposed to believe that Bergoglio suddenly began to profess these heresies during his walk from the Sistine Chapel to the Loggia of St. Peter’s on March 13, 2013?

Or should we not rather say that his statements thereafter merely **confirm** the modernist heresy Jorge Bergoglio **already publicly professed** in Argentina long before his election – his adherence to a system that rejects the possibility of religious truth and the objective moral law, that rejects proselytizing those who are atheists, that rejects “judging” such persons, that “cannot say what [God] is,” that classifies “as arrogant those theologies - - that had the pretense of saying who He was,” that believes “there is another life because we have already begun to *feel* it,” that denies Church moral teaching on suicide, that speaks of adulterers as “those who live on the *margin* of what indissolubility and the sacrament of marriage require of them,” that says “the religious minister does not have the right to force anything on anyone’s private life,” and that insists, contradicting the teaching of all the Church Fathers and even St. Peter himself, that “the Jewish People can no longer be accused of killing God”? (See Bp. Donald Sanborn’s analysis of *On Heaven and Earth*, which Bergoglio co-authored in Argentina with a rabbi, in *Most Holy Trinity Seminary Newsletter*, May 2013).

And what of the heretical doctrines contained in the 1994-1997 *Catechism* of John Paul II, which Bergoglio was bound to adhere to and to implement as “a sure norm for teaching the faith,” “a sure and authentic reference text for teaching Catholic doctrine”?

Faced with this mountain of evidence, can we really still take seriously the objection of the R&R camp – Bp. William-

son, SSPX, *The Remnant*, *Catholic Family News*, countless bloggers, and moonlighting contract, tax and personal injury lawyers – that the cardinals who elected Jorge Mario Bergoglio and likewise adhere to the heresies of Vatican II and John Paul’s 1992 *Catechism* must give him two warnings, and then launch their own trial before we can dare say out loud that their companion in heresy is not a real pope?

The teachings of the canonists we have quoted give us the answer: We are not obliged to engage in such exercises in pretzel thinking and pseudo-Suarezian legal rigmarole before arriving at a conclusion.

A man who is not a Catholic – is a public heretic – **cannot become** a true pope and **the rule is a matter of divine law**. Bergoglio is a public heretic, so he **cannot** be the pope. It’s as easy as that. Bergoglio never got the papacy in the first place – so he’s got nothing to lose.

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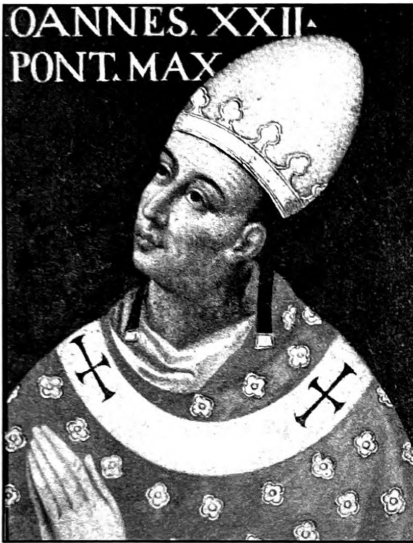
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DR. DE MATTEI PRESCRIBES AN ANTI-SEDE TRANQUILIZER

A 14th Century Pope Was a “Heretic” and Remained Pope,
So Bergoglio Must Remain Pope, Too, Right? Right?

Rev. Anthony Cekada

January 28, 2015



Jorge Bergoglio’s antics are unnerving more and more people in the conservative/traditionalist wing of the post-Vatican II establishment, and it is becoming harder and harder for them to insist that Francis is really a pope.

In the past week alone (in January 2015), Bergoglio has rattled on about “rabbits,” repudiated apologetics (Take that, Catholic Answers!) and given a pat on the head to a “trans” couple. What next?

Those who recognize the gravity of Francis’ errors find themselves peering over the precipice into sedevacantism – the only truly coherent theological explanation for the dilemma he embodies – and it makes them dizzy.

Anything, *anything* but that!

So controversialists on the right have stepped forward and tried to jury rig some guardrails.

The latest is the work of Dr. Roberto de Mattei, an Italian historian and commentator on Church affairs who has written eloquently and incisively on Bergoglio’s errors and his revolutionary program. In a January 28 article, translated and posted on the *Rorate* blog, Dr. de Mattei treats the case of Pope John XXII (1316-1334) as an example of “a pope who fell into heresy and a Church that resisted.”

He doesn’t *explicitly* mention the dreaded “trigger word,” sedevacantism, but it is absolutely clear that this is the real

subject of his article.

The implied conclusion Dr. de Mattei wants us to draw about sedevacantism proceeds, more or less, from the following analogical argument: John XXII (1) became a public heretic after he was elected pope, (2) but he did not therefore lose the papal office, and (3) the Church resisted him. So too, Francis (1) has become a public heretic after he was elected pope, (2) but he does not therefore lose the papal office, and (3) we have the right to resist him.

So take a deep breath, and feel the sense of calm and contentment as the effects of your recurring Bergoglio-induced sedevacantism anxiety attack once again recede from your head and members.

But alas, the soothing analogical argument that Dr. de Mattei prescribes fails for at least two reasons.

I. John XXII was not a heretic

The accusation of heresy arose from a series of sermons John XXII preached in Avignon, France in which he maintained that the souls of the blessed departed do not see God until after the Last Judgement. Sounds promising as an anti-sede argument at first, since John XXII was always recognized as a true pope. However:

(a) **The doctrine on the Beatific Vision had not yet been defined** – John XXII's successor, Benedict XII would do that.

Dr. de Mattei, perhaps sensing a weakness in his analogy because of this, waffles on the point: when it came to the common teaching on the beatific vision at the time, John XXII “contested the thesis,” “fell into heterodoxy,” “entered into conflict with Church tradition on a point of primary importance,” “sustained the view,” “re-proposed the error,” “tried to impose this erroneous view,” etc.

So while in the title of his article, Dr. de Mattei speaks of “a pope who fell into **heresy**,” he shies away from employing the specific technical term “heresy” in his text. And the **heresy** of the post-Conciliar popes, including Bergoglio, is the

starting point for the sede argument.

(b) Then there is the *mode* that John XXII, who had been a theologian before his election, employed to present his arguments and conclusions.

Here, the theologian Le Bachlet says that John XXII **proposed his teaching only as a “private doctor who expressed an opinion, *hanc opinionem*, and who, while seeking to prove it, recognized that it was open to debate.”** (“Benoit XII,” in *Dictionnaire de Théologie Catholique*, 2:662.)

Thus, it is incorrect for Dr. de Mattei to claim that John proposed his thesis as “an act of ordinary magisterium regarding the faith of the Church.”

In the pope’s second sermon, moreover, he said the following:

I say with Augustine that, if I am deceived on this point, let someone who knows better correct me. For me it does not seem otherwise, **unless the Church would so declare with a contrary statement** [*nisi ostenderetur determinatio ecclesiæ contraria*] or unless authorities on sacred scripture would express it more clearly than what I have said above. (Le Bachelet, DTC 2:662.)

Such statements **excluded the element of “pertinacity” proper to heresy.**

So, two of the conditions which by definition are necessary for heresy to exist were simply not present in the case of John XXII.

II. John XXII validly became Pope, while Bergoglio never did

The second point on which Dr. de Mattei’s implied analogy fails is the hidden assumption that, like John XXII, Bergoglio **validly obtained papal authority in the first place**, which he could somehow retain, despite public heresy.

Bergoglio, however, was a public heretic *before* his election, and as a public heretic, he could not be validly elected

pope.

The principle is **a matter of divine law**. When treating the requirements for election to the papal office, numerous pre-Vatican II commentaries on the Code of Canon Law explicitly lay down this principle. For instance:

Those capable of being **validly** elected are all who are not prohibited by **divine** law or by an invalidating ecclesiastical law - - Those who are barred as **incapable of being validly elected** are all women, children who have not reached the age of reason; also, those afflicted with habitual insanity, the unbaptized, **heretics**, schismatics... (Wernz-Vidal, *Jus Canonicum* 1:415)

We made just this point and provided more citations for it in an earlier article, whose title sums up why Dr. de Mattei's implied John XXII/Bergoglio analogy fails: "Bergoglio's Got Nothing to Lose."

* * * * *

So on both counts – heresy and validly obtaining papal authority – the analogy between John XXII and Francis is yet another shaky barrier that must fall on the road to acknowledging the only logical explanation for Bergoglio: He's a heretic who was never a real pope to begin with.

Anything else is just whistling past the graveyard.

THE TRIBAL MYTH-KEEPERS: SALZA AND SISCOE ON SEDEVACANTISM

Rev. Anthony Cekada

January 6, 2016

In the first four days of 2016, my video “Why Do Traditionalists Fear Sedevacantism?” managed to rack up a respectable number of views.

It also provoked a testy post by John Salza and Robert Siscoe, authors of *True or False Pope?* a book urging traditionalists to – wait for it! – fear sedevacantism. They have now dedicated a portion of their website to “sedevacantist watch,” the first watch-ee being me.

Apparently it is acceptable for *them* to urge Catholics to *fear* sedevacantism, but a sign of knees-knocking desperation for *me* to ask *why*, and then dare to answer the question, which is what I did in the video. This is what they call an “irrational response.”

What you will *not* be able to “watch” on Messrs. Salza and Siscoe’s post is either a discussion or a refutation, rational or otherwise, of my threefold *answer* to the question of why traditionalists fear sedevacantism:

1. Ancient tribal myths
2. Cowardice and human respect
3. No marketing appeal

Here I will recapitulate only the first point, because the old tribal myths about the post-Conciliar papacy have begun to crumble in the face of the Francis revolution, and because Messrs. Salza and Siscoe, it seems, have become the new shamans for keeping their tribe entranced and unaware.

Origins of the Myths

To discover the source for the near-irrational fear of sedevacantism that afflicts so many traditionalists, one must first look to the traditionalist movement’s origins in the 1960s

and the early 1970s.

Because the Vatican II revolution came “from the pope” and because every good pre-V2 Catholic knew that only **non-Catholics** “**did not recognize the pope**” and that only **bad Catholics** “**disobeyed the pope**”), proto-traditionalists needed to quickly come up with *some* sort of plausible explanation for rejecting the errors and evils that Paul VI had officially approved.

The Heart of the Myths

The argument the first traditionalists cobbled together for “resisting the pope” revolved mostly around two primitive notions:

- 1) **Catholics are not really bound by what a pope teaches or legislates unless it has an “infallible” stamp on it** (for example, when he makes some once-in-a-century proclamation *ex cathedra*, as Pius XII did for the dogma of the Assumption), and
- 2) **A pope can be like a “bad dad”** whose evil commands you can disobey, but whom you recognize as your dad, no matter *what* he does.

Both ideas were based on a whole array of theological errors that eventually mutated into what came to be known as the “recognize and resist” (R&R) position towards the Vatican II popes. All these errors have been repeatedly and definitively refuted, based on the standard teaching of pre-Vatican II ecclesiology – that branch of theology that deals with attributes and authority of the Church and the papacy.

But at the time, these primitive notions sounded plausible enough to laymen and priests who didn’t know any better, and they were repeated so often over the years that they became the unquestionable mythology that identified the tribe.

The Propagators

From its foundation in the 1960s, *The Remnant* was the prin-

cipal organ in the English-speaking world for spreading and defending this mythology, aided by its chief apologist and shaman, Michael Davies.

In France, it was *Itinéraires* and eventually, Abp. Marcel Lefebvre's Society of St. Pius X (SSPX).

Resistance to "Rome" was an easy sell in France simply because a strain of it has run through French history for centuries: Gallicanism, the *petite église*, the French anti-infallibility faction at Vatican I, and the French political right-wing's anger in the twentieth century over the papal condemnation of *Action Française*.

But we Americans don't exactly have a sterling record either. The traditionalist mythology we are discussing got an early start on *our* shores in the 1940s with the followers of the excommunicated Jesuit, Father Leonard Feeney, and it has been going strong ever since.

Offspring of the Myths

The original myths that sedevacantism threatened eventually spawned others. Sedevacantism could not be true, we are told, because it would leave us without a pope to consecrate Russia to the Immaculate Heart in conformity with the Fatima message

This argument has long been promoted not only by Messrs. Salza and Siscoe, but also by other R&R Fatima Industry movers and shakers, such as Fr. Nicholas Gruner, Christopher Ferrara and Brian McCall.

Here, a principle invented on the basis of *private* revelation (which no Catholic is, strictly speaking, obliged to accept) is supposed to trump *public* revelation (which Catholics *are* obliged to accept, and which is the data underlying the theological principles for the sedevacantist argument). The tail wags the dog.

The "Spirituality" of the Myths

Finally, if you have been raised in the R&R camp, you have

been taught to fear sedevacantism as “schism.” If you overcome your fear sufficiently to investigate the position, to raise legitimate questions about your tribal myths and to insist on coherent answers based on principles found in the writings of pre-Vatican II theologians and popes, you are told that you are “proud.”

The latter, in particular, is a trick employed by SSPX retreat masters, who are supposed to give at least one conference aimed at indoctrinating retreatants into the SSPX myths. Bad spirituality covers up bad theology.

* * * * *

It is perhaps understandable that in the early days of the traditionalist movement, residual pre-Vatican II attitudes toward the papal office, limitations in the means of obtaining news and factual information, and the sheer physical obstacles to conducting theological research led faithful Catholics to settle for simple myths to justify resistance to the man whom faith told them stood in the place of Jesus Christ on earth.

And it is also perhaps understandable that these myths, combined with those promoted by the press about the “conservatism” or “orthodoxy” of John Paul II and Benedict XVI, led many souls to give Wojtyla and Ratzinger, two Thomism-hating modernists underneath, the benefit of the doubt and give in to the fear of sedevacantism.

But now we’re talking Bergoglio – who’s moved beyond giving a wink to divorce and remarriage to giving a pat on the back to *transsexual* “marriage.”

So it is time to put aside the contorted theories of the tribal mythmakers, who claim to “save” the papacy with a theory of “resistance” that destroys it.

You can now see with your own eyes and hear with your own ears, the poisonous modernist heresies of Vatican II, incarnate in the person of Jorge Mario Bergoglio.

As such, he is no mere bad dad with an unused “infallible” stamp in his back pocket – still less, the Vicar of Christ.

He is the Vicar of the Devil. And no one should be afraid to say it.

A BERGOGLIO PROMO FOR APOSTASY LITE

Rev. Anthony Cekada

January 7, 2016

Well, just when I thought I could give the pope question a rest for a few days, Bergoglio comes out with a sleek, feel-good video promo for “apostasy lite.”

After clip of a Buddhist expressing confidence in Buddha, a Jew professing belief in Yahweh, a cleric in Jesus Christ and a Moslem in “God-Allah,” Bergoglio says that “Many think differently, feel differently.” Then, as a smiling Bergoglio is shown receiving a Buddha idol, kissing a bearded schismatic, and group-hugging rabbis at the Wailing Wall, they are, he says “seeking God or meeting God in different ways.”

Buddhists, Jews, and Moslems actually “meeting God” in their false religions?

Moreover, Bergoglio says, “In this crowd, in this range of religions, **there is only one certainty we have for all:**”

That the Catholic Church is the only true religion? That it was founded by the Son of God, who said “he that believeth not shall be condemned”?

Nope. **The only certainty the “Vicar of Christ” has for everyone is that “We are all children of God.”**

After an “I-believe-in-love” round robin for the Buddhist, Jew, cleric and Moslem, in which each is shown separately holding in his hands a symbol for his religion (Buddha idol, Jewish menorah, Baby Jesus and Moslem prayer beads), there is a final shot of all four holding their symbols together.

You could find no more perfect a symbol for the errors condemned in Pius XI’s *Mortalium Animos* – and with it, proof of Bergoglio and company “abandoning the religion revealed by God.”

Not “mere” heresy, in other words, but apostasy.

R&R apologists like John Salza and Robert Siscoe will no

doubt start shaking their rattles and chanting their best not-infallible/bad-dad spells to reaffirm the ancient tribal myths: Until an orthodoxy buddy gives Bergoglio three “canonical warnings,” and a jury of cardinals (Maradiaga, Kasper, Dolan, Tagle and Gracias?) renders “public judgement” on Bergoglio’s errors, we must all still believe he is the Vicar of Jesus Christ.

But any Catholic with eyes should now see the reality that the myths attempt to conceal: Bergoglio is an apostate, and cannot be the pope.

HEY TRADS! TAKE THIS POP POPE QUIZ!

Rev. Anthony Cekada

May 28, 2016



YOUR "POPE FRANCIS" LOGIC QUIZ!

A heretic is..	Faith is...	This dogma is...	But Francis says...	Therefore Francis...
Someone who after baptism retains the name Christian, but pertinaciously denies or doubts a truth of the divine and Catholic faith. - Canon 1325.	Act of intellect/assent to revealed truths because of the authority of God revealing. - Trent. Vatican I and Pascendi	A truth of the divine and defined Catholic faith. -Sec. Theol. Summa III.iv 52, 61	<u>"In fact, to be a Christian does not primarily mean to belong to a certain culture or adhere to a certain doctrine, but rather to join one's own life, in all its aspects, to the person of Jesus and, through Him, to the Father."</u> - Francis, 15 May 2016	A. is a heretic and so cannot be a true pope. B. needs warnings from cheesehead cardinals before he can become a heretic. C. is a true pope, but Bp. Fellay must protect us from or correct his teachings.

Fr. Anthony Cekada. www.sggresources.org

Correct answer: A.

Answered B or C? Oops! You need to review Pius XII's teaching on the sin of heresy and membership in the Church, in addition to Boniface VIII's teaching on submission to the Roman Pontiff as necessary for salvation!

MY RESPONSE TO FR. CHAZAL'S "CONTRA CEKADAM"

Rev. Anthony Cekada

August 25, 2017

Father François Chazal is former member of the Society of St. Pius X who left the organization several years ago when the prospect of an SSPX-Vatican deal looked particularly likely, and with a number of other similarly-minded ex-SSPX priests, formed a loose association of priests known as "the Resistance."

The Resistance priests maintain they are carrying on the authentic teaching of SSPX founder Abp. Marcel Lefebvre, which was to "recognize" the Vatican II popes as true popes, but to resist on a case-by-case basis papally-approved teachings, laws and commands that the archbishop and others decided were evil or erroneous.

This position is now generally referred to as "R&R" or "Recognize and Resist" – a label, by the way, that I myself coined in a December 2005 article "Resisting the Pope, Sedevacantism and Frankenchurch" in *The Remnant*. Several years ago, I circulated a video which summed up the position as "The Pope Speaks: You Decide: Traditionalists Who Destroy the Papacy."

As I and others have repeatedly pointed out, the R&R position simply cannot be reconciled with traditional Catholic teaching on the indefectibility and the infallibility of the Church. Once you say (as all traditionalists do) that the officially-approved post-Vatican II teachings contain error or evil, the only logical conclusion you can come to is that the men who promulgated them had no authority when they did so – sedevacantism, in other words. Otherwise, you wind up with a defecting Church.

I made this argument in a 1995 article "Traditionalists, Infallibility and the Pope" (since revised in 2006), which has since then been widely circulated as a booklet (at least 30,000 copies) and on the internet.

No one that I know of on the R&R side has, in all these years, published a credible refutation of this rather short work.

When a correspondent of mine challenged Fr. Chazal to do so, Fr. Chazal produced a seven-part, thirty-nine page monograph entitled “Contra Cekadam,” which is now being circulated in installments on the internet.

One would think that such a vast mountain of verbiage would require me to produce an equally prolix response. But no, Fr. Chazal simply missed the point of my argument, and wandered off into the bushes to talk about something else. I don’t feel any obligation to follow him there – or, as Bergolio might say, to “Accompany Fr. Chazal in his journey of discernment.”

The following brief comments to a correspondent will suffice.

* * * * *

Thanks for sending along the Chazal document. It is hardly, as Fr. Chazal seems to think, a point-by-point refutation of my argument in *Traditionalists, Infallibility and the Pope*.

Fr. Chazal’s *Contra Cekadam* doesn’t even *state* the argument of the “Cekadam” in question, still less refute it. Here, for the record, is the argument I made in the booklet:

1. Officially-sanctioned Vatican II and post-Vatican II teachings and laws embody errors and/or promote evil.
2. Because the Church is indefectible, her teaching cannot change, and because she is infallible, her laws cannot give evil.
3. It is therefore *impossible* that the errors and evils officially sanctioned in Vatican II and post-Vatican II teachings and laws could have proceeded from the authority of the Church.
4. Those who promulgate such errors and evils must somehow lack real authority in the Church.

5. Canonists and theologians teach that defection from the faith, once it becomes manifest, brings with it automatic loss of ecclesiastical office (authority). They apply this principle even to a pope who, in his personal capacity, somehow becomes a heretic.
6. Canonists and theologians also teach that a public heretic, by divine law, *is incapable of being validly elected pope* or obtaining papal authority.
7. Even popes have acknowledged the possibility that a heretic could one day end up on the throne of Peter. In 1559 Pope Paul IV decreed that the election of a heretic to the papacy would be invalid, and that the man elected would lack all authority.
8. Since the Church *cannot* defect, the best explanation for the post-Vatican II errors and evils we repeatedly encounter is that they proceed from individuals who, despite their occupation of the Vatican and of various diocesan cathedrals, publicly defected from the faith, and therefore do not objectively possess canonical authority.

If Fr. Chazal agrees with the statements in points 1 (the changes are evil) and 2 (and the Church, by Christ's promise, *cannot* give evil/error), but he nevertheless still insists the Vatican II popes *are* true popes possessing authority from Christ, he maintains in effect that the Church of Christ *has* defected and that Christ's promises are *void*.

As for the rest, Fr. Chazal simply:

1. Recycles opinions on a heretical pope that were eventually abandoned after St. Robert Bellarmine.
2. Attempts to apply criteria pertaining to ecclesiastical *crimes* when sedevacantists maintain that the public *sin* of heresy, not the *crime*, is what prevents a heretical pope from obtaining or retaining the papacy.
3. Refloats the phony Adrian VI quote.

4. Repeats the Paul-vs-Peter canard on fraternal correction for a moral fault, which does not solve the problem of the Church defecting wholesale by promulgating theological errors and evil universal laws.
5. In his treatment of Scripture as a “refutation” of sedevacantism, ignores St. Paul’s own assertion that he could in fact, “preach another Gospel,” for which even he himself would become “anathema.”
6. Recycles supposed incidents from history to demonstrate that there have been heretic popes before, but which incidents (a) are part of the standard arguments of protestants who reject papal infallibility, and (b) have been repeatedly refuted by Catholic dogmatic theologians.

Fr. Chazal’s arguments on each of these points still do not get him out of the theological pickle that points 1 and 2 of my original argument put him in – the Chazalian equation that works out to:

Evil changes + true popes = defected Church

Good luck getting out of that one, Father Chazal!

MASS IN UNION WITH THE “PIRATE POPE”: SOME QUESTIONS

Rev. Anthony Cekada

September 20, 2017

In my 2007 article, “Grain of Incense: Sedevacantists and Una Cum Masses,” I examined at great length the issue of whether a sedevacantist could actively assist at a traditional Mass where a Vatican II pope is named in the Canon of the Mass. On the basis of the dozens of theological, canonical and liturgical sources, I concluded that no, one could not.



In 2014, after the election of Bergoglio, I posted a resumé of my argument entitled “Should I Assist at a Mass that Names Pope Francis in the Canon.” This explained in simpler terms the points I had made in the original article.

On the face of it, the conclusion should just be a matter of common sense: If you don’t believe that Francis is a true pope, you have no business participating in an act of worship that proclaims he *is*.

But since the practical application of the principles I outlined would prevent sedevacantists in many cases from assisting at what might be the only traditional Mass offered in their area, I often get questions about the issue. This has increasingly been the case over the past few years, because Bergoglio’s antics have led more and more traditionalists into the sedevacantist camp.

I. Do the Laity in fact “Consent”?

The first series of questions about the conclusions in “Grain of Incense” came to me several years ago from a fellow sede-

vacantist priest.

The authorities you cite in sections II.B-D refer to the people's participation in the Mass as a sacrifice offered to God. All they say is that the faithful offer the sacrifice through the priest. You do not cite a theologian who teaches that the layman consents, by his presence, to every accidental detail of the Mass he attends. If you find it, let me know.

I think you need to re-read the texts I quoted more closely. Specifically, read fnn: 18, 19, 20, 24 (the Pius XII quote is in the text), 26, 27, 28.

These all refer to a true moral **participation** (a sub-species of cooperation) not just in the sacrifice, but likewise in the actual **prayers** that commend the sacrifice – “*cooperationem seu communem actionem cum alio in orationibus et functionibus cultus.*” [cooperation or common action with another person in the **prayers** and actions of worship]

So, the layman who participates in the Mass **actively** (in such a way as to satisfy his Sunday obligation and to share in the special fruits of the sacrifice) by that very fact necessarily participates in the **all** the prayers of the priest – including the *una cum*. The priest says the prayers, and the laymen participate “in the execution of the act with the principal agent and under his direction.” (Roberti, “Cooperation,” *Dict. Moral Theology*)

To say the people offer the sacrifice through the priest is an entirely different claim from saying the people participate in every detail of the Mass – including whether the priest says the right Collects, whether he uses the correct name in the una cum clause, whether he is in the state of grace, whether he prays for something sinful in the Memento, whether he makes a sloppy sign of the cross over the oblata, or any one of the thousand other things that can (and sometimes do) go wrong in a Mass. In my limited experience, I have never heard of a moralist who said anything even close to such a claim. In 2000 years of Church history, with all the problems that have occurred during the celebration of Mass, surely it would have come up at one point or another, don't you think?

First, the authors distinguish between grave and light violations of the rubrics, and those which are imputable or inadvertent. (See Oppenheim, *Tract. de Iure Liturgico* 2:72, and Prümmer *Th. Mor.* 3:303ff).

If a priest were to habitually and deliberately violate a preceptive rubric in a grave matter when offering Mass (omitting some of the Offertory prayers, altering the Canon, etc.) the faithful – assuming they were aware of this and understood its gravity – would be **obliged** to avoid his Mass, because they would be actively participating in his sin. This is simply an application of the general principle on cooperation in the sin of another.

(Over and above the principles already mentioned, even visceral reactions confirm this. There were many times in my youth when I walked out of Masses because a priest perpetrated violated the rubrics and perpetrated some egregious liturgical or doctrinal horror.)

The recitation or non-recitation of the *una cum* concerns a matter which in itself is grave, and those who insert the name of Benedict in the Canon do so deliberately – *sciens volens* [knowingly and willingly].

On the other hand, the recitation of the wrong Collect or (to limit ourselves to the question of texts, which is the central issue here), omitting the Gloria, chanting the wrong Gospel (as I accidentally did on Saturday) are not in themselves grave matter.

Unlike the *una cum*, the hapless priest does not recite or omit these texts as the result of due deliberation. Instead, he commits these faults as a result of one of two things:

- 1) **Error.** (“*positivus status animæ in quo - - habetur notitia falsa, veræ rei naturæ non consentanea.*” – Michels, *de Delictis* 1:204) [A positive condition of the soul in which - - one has a false and unconsenting knowledge of the true nature of a thing] E.g., he misunderstood what the *Ordo* said.
- 2) **Inadvertence.** (“*status transitorius, in quo id quod habitualiter scimus actualiter, ex distractione vel*

oblivione, non consideramus.” Ibid.) [A transitory condition, in which, out of distraction or forgetfulness, we do not actually advert to that which we habitually know.] E.g., the server made a mistake, I noticed it, and my eyes lit upon the wrong Gospel text.

These generally excuse Father from moral imputability, and since the matters are not objectively grave anyway, both he and the faithful are off the hook.

But with the *una cum*, the matter is grave, the act of reciting it is deliberate, and the faithful actively assisting in the Mass, according to the principles set forth above, by that fact participate in the act of the priest.



II. In Union with a Protestant King?

More recently, an anonymous sedevacantist blogger put up a lengthy post with what he thought was the ultimate gotcha argument against *Grain of Incense*. In the begin-

ning of the 19th century, Pope Pius VII, he claimed, allowed the phrase *pro Rege nostro Georgio* to be placed into the Canon of the Mass in England, just after the name of the pope and the bishop in the *una cum*.

Since George III, obviously, was a Protestant heretic and a pope approved inserting his name – the blogger’s argument went – there’s no *real* problem for sedes to assist at a Mass where the name of a heretical pope is inserted into the Canon.

The blogger cited no papal decree for his rather astounding factual claim, and nothing to this effect appears in the official *Decreta Authentica* of the Vatican’s Congregation of Sacred Rites.

The only source the blogger provided was a link, which leads to an 1806 Latin-English missal **for the laity**, in which the phrase *pro Rege nostro N.* (for our King, N.) has been inserted into the Canon. How did it get to be put into a Missal for the laity? Who knows? We certainly don't have to accept the authority of its publisher, P. Keating of Brown & Co., 37 Duke St., Grosvenor Square.

But in any event, as regards the priest's **altar** Missal itself, the liturgical commentators are clear: The Missal of Pius V discontinued the mention of the king or civil rulers in the *Te Igitur*, and the practice was allowed only by way of privilege (as in Spain and Austria), where the ruler was a Catholic.

Caught out on the specific issue of the Canon, the blogger replied that, well, having consulted one of the four thousand books in his personal library, he finds that the Church allowed *other* public prayers to be chanted for a non-Catholic monarch or president.

Well sure, – but this was in the official's **civil** capacity as head of a **secular state**. And in the case of England, this took the form of a prayer chanted **after** the Mass was over.

The Pope, on the other hand, is prayed for **during** the Canon of the Mass in his **religious** capacity as head of **the Church**.

If the blogger couldn't figure out that **basic** distinction, his four thousand books haven't done him a lot of good. Maybe he should get with the Bergoglio's environmentalist program and recycle them.

But even after the publication of the first version of this post on September 20, 2017, our blogger still did not learn his lesson.

So, in a September 25 post, he went on a 1500-word tear against me based entirely on the assumption that the Prayer for the (Protestant) King permitted at Benediction in Canada took place during an "official **liturgical** service," thus making (he assures us) an excellent analogical argument for tolerating the naming of a heretic/imposter as Vicar of Christ in the Canon of the Mass.

But all this windbagery instantly collapses once you learn that, unlike the Mass, **Benediction is not considered a true liturgical service.**

Pfft. Strike three. And down goes yet another ignorantly made and pompously phrased objection.

And so here we are, ten years after my original article, and despite all the squawking, no one has yet been able to make a credible and coherent case against my arguments.

III. What about Just Adoration or a Rosary?

Here is another series of questions I received recently from a lay sedevacantist.

I am writing you in hopes of clearing up some confusion which has arisen in my mind and those of others with regard to attendance at 'una cum' Masses. At present, I am taking advantage of the internet Masses from SGG Resources and steering clear of the SSPX chapel.

In response to my previous email, you advised me that it would be permissible to make a visit to an SSPX chapel for personal adoration. Additionally, it would be okay to make a confession, but only if it would not create a scandal.

Father, how could it be wrong to make a visit to the Blessed Sacrament while a 'una cum' Mass is being said?

It would be wrong because during Mass such an act connotes active participation.

During my visit, would it be wrong to receive Holy Communion?

Yes, it would be wrong, because reception of the Eucharist constitutes active participation in the rite.

Would it make any difference if, before entering the sanctuary, I would pray for the correction of the inherent wrong of the priest for beseeching our Lord to protect, unite and govern the manifest heretic 'our pope' Francis? Silently, I would be addressing my own disapproval by willfully not participating in the dialogue of

this Mass but, instead, reciting my Rosary while immersing myself with the Real Presence. Once I concluded my visitation, I would return home and look to receive the graces of the internet Mass.

It would make no difference, because the recitation of the Rosary is one of the approved means of actively participating in the Mass.

If it is wrong being in church within the 'atmosphere' of the 'una cum' Mass, would it be wrong for me, though not present in the church, to be at home receiving Holy Communion or Viaticum that has been consecrated during a 'una cum' Mass?

Yes – it has been consecrated in a rite that – because it professes communion with a public heretic and proclaims him a preacher of the Catholic faith – is objectively sinful.

The emergence of the question of the validity of the consecration itself (for me) comes into the area for consideration when the priest participates in this prayerful entreaty for this false 'pope'. Does the priest really believe this man is pope, or is he just repeating the words of the 'una cum' without thinking? Of course, we would never know if the priest is one of the many sedevacantist priests in the Society.

The mental state of the celebrant does not change the objective meaning of the prayers of the liturgical rite, nor can it negate the principles that make it wrong for you, a sedevacantist who has figured things out, to actively assist at the rite.

Father Cekada, maybe I'm making too much of this, but these questions, nevertheless, persist.

I look forward to receiving your response.

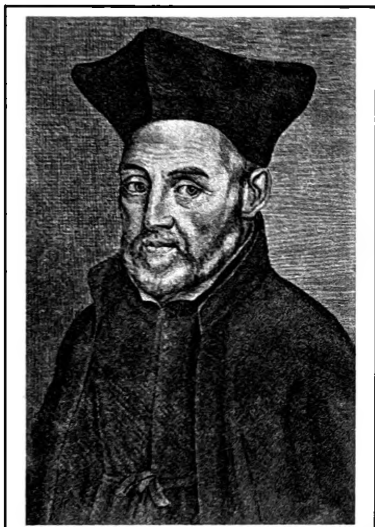
I realize that putting these principles into practice is very painful for devout Catholics such as yourself, who do indeed regard the Mass as what Fr. Faber called "the most beautiful thing this side of heaven."

But the moral and liturgical principles are what they are, and it's our duty to apply them. Fr. Faber also said: "Our charity is untruthful because it is not severe; and it is unpersuasive, because it is not truthful - - Where there is no hatred of heresy, there is no holiness."

I recommend you go back and read *Grain of Incense* again in its entirety.

I had thought for many years that the advice not to attend "una cum" Mass was excessively severe.

But when I looked into the question myself, I discovered that all the evidence from popes, Holy Office decrees, moral theologians, dogmatic theologians, canonists and liturgical



Robert Parsons, SJ (1546-1610)

commentaries affirmed that the conclusion was correct: that a sedevacantist, who by definition believes a V2 pope is a heretic and a false pope, should not participate actively in an "una cum" Mass, which proclaims the opposite.

The Jesuit Robert Parsons, one of the heroes of Catholic resistance to the Protestant persecutions in England, wrote a whole book entitled "Reasons why Catholics Refuse to Go to Church," in order to encourage faithful Catholics to avoid worship displeasing to God. We, who (unlike them) do not face the prospect of loss of our lives and livelihoods, should strive to imitate their heroic and uncompromising spirit for the sake of the truth.

Please pray for the grace to be as strong in the practice of the faith as they were!

THE “POSITION OF THE SOCIETY” AS SUBSTITUTE MAGISTERIUM

Rev. Anthony Cekada

March 1, 2018

The Society of St. Pius X’s flawed theology of papal authority has led it to promote countless errors, but one of the more obvious ones emerges in its position on canonizations made by the post-Conciliar popes.

The standard pre-Vatican II theological teaching was that canonizations are **infallible** – otherwise, said the theologian Salaverri, it could happen that the Church would solemnly propose and order the perpetual veneration and imitation of men who were in fact depraved and damned. (*De Ecclesia*, 724) Indeed, the very language that Pius XI and Pius XII employed in their canonization decrees made it abundantly clear that their acts were infallible. (“...**infallibilem** Nos - - sententiam,” “**falli nesciam** hanc sententiam...”)



Josemaría Escrivá (1902-1975),
founder of Opus Dei, “canonized”
by John Paul II in 2002

Yet despite SSPX’s insistence that the post-Conciliar popes *are* true popes, and despite the language in post-Vatican II canonization decrees reserved for infallible papal pronouncements (“by the authority of our Lord Jesus Christ - - **we declare and define**”), the Society rejects the canonizations of Josemaría Escrivá, John XXIII and John Paul II, as well as the beatification of Paul VI.

One can see why the Society would find these particular canonizations distasteful. Escrivá, John XXIII and Paul VI were enemies of Archbishop Lefebvre, and John Paul II

excommunicated him. So too, the beatification of Paul VI, whom Bergoglio has slated for canonization later this year.

But if you recognize the post-Conciliar popes as true popes – Successors of St. Peter and Vicars of Jesus Christ on earth – there is no room whatsoever for you to challenge the validity of the canonizations that they solemnly promulgated.

The illogic in the SSPX position is not lost even on simple lay people. Just a day or two ago, I was talking to a Catholic mother who teaches her kids religion out of the standard high school text *My Catholic Faith* – a pre-Vatican II work, incidentally, republished by SSPX in the United States.

“Don’t people see the contradiction?” she asked me. “How can you possibly say that you recognize the pope or are subject to him if you reject the *saints* he makes?”

Indeed.

The incoherence of the SSPX position was highlighted the very next day in the Society’s promotional material for a new book, *The Realist Guide to Religion and Science*, by Rev. Paul Robinson SSPX.

Fr. Robinson invited Rev. Paul Haffner, a priest from the Novus Ordo establishment who has written extensively on religion and science, to review his manuscript and to contribute a Foreword to the book. Fr. Haffner was happy to help. There was, however, a problem. In his Foreword, Fr. Haffner not only recommended Fr. Robinson’s work, but also praised the “realism” of Paul VI and John Paul II, and referred to them, respectively, as “Blessed” and “Saint.”

Well *of course* Fr. Haffner regards JP2 as a saint – because when a pope says someone is a saint, that’s what he is! It’s standard pre-*and* post-Vatican II doctrine.

But not so in the theological Bizarro World of SSPX. So, on the SSPX site promoting Fr. Robinson’s book, we find the following disclaimer:

In the foreword, Fr Haffner makes reference to the support of the Conciliar Popes for realism. In doing so, he assigns to Pope Paul VI and Pope John Paul II the titles of “Blessed” and “Saint” respectively. As **Fr Robinson** was not provided an opportunity

to read the foreword before the publication of his book, he **was not able to express his adherence to the position of the Society of St Pius X (SSPX)** on the doubtful nature of the canonizations, because of the many changes in the canonization process. In addition, he was not able to reiterate the particular concerns about the canonization of Pope John Paul II that he expressed in his Nov./Dec. 2013 Angelus article “The Difference between a ‘Saint’ and a ‘Saint’.” [My emphasis.]

The irony here – a non-trad clergyman takes for granted a traditional teaching that SSPX explicitly rejects – should be obvious.

But there’s an even bigger problem underneath. Note the phrase I have highlighted: **“adherence to the position of the Society of St Pius X.”**

As I explained to the inquiring mom, the reason *why* SSPX is able get priests and layman to swallow such an obviously false position on canonizations and countless other doctrinal questions is that **SSPX presents itself as a substitute for the magisterium of the Church.** The “pope” may speak and issue decrees, but the Society is the final arbiter of “tradition.”

And boy, if you’re an SSPX priest and seem to have (gulp!) contradicted one of its “positions,” you need to make it *very* clear that you are – heh heh – *really, truly* a Society loyalist. So, the promo for Fr. Robinson’s book goes on to say:

Thus, the appearance of “Blessed” and “Saint” beside Paul VI and John Paul II in the foreword of *The Realist Guide* should in no way be construed as an acceptance by Fr Robinson of the modern canonizations or a deviation from his publicly expressed opinions on that subject or the position of the SSPX. Nor should the foreword be construed as implying that Fr Robinson believes that the Conciliar Popes have been realist in their philosophical outlook. [My emphasis.]

Since “deviation” from the party line is always a crime, whether in Mao’s China or the SSPX, this profession of faith was intended, no doubt, to head off a phone call from Menzingen, announcing to the good Father that he’d been selec-

ted to found a mission in Sudan, so could he please get his malaria and anti-dysentery shots topped up.

And this is how it's always been in SSPX: You follow the "line" of the Society – as enunciated by Abp. Lefebvre in my day, or Bp. Fellay in our own – as the correct position on any one of dozens of the difficult issues that faithful Catholics face in the post-Vatican II era. You affirm when the Society affirms, deny when it denies, and if its position zig-zags on one day to contradict what it said the day before, you pretend not to notice – knowing that those who show loyalty to any principle beyond the "position of the Society" *du jour* soon find themselves on the outside.



Benito Mussolini, leader of Fascist Italy in 1922-1945

But there is no substitute for *the* Magisterium. And those thousands and thousands of souls who now blindly follow the "positions of the Society" and have checked their brains at the door will end up preserving not Catho-

licism or the Church, but the mentality of a cult, where *Il Duce ha sempre ragione* – the Leader always knows best.

BP. DOLAN'S ANNIVERSARY: CELEBRATING AN INFLUENTIAL APOSTOLATE

Rev. Anthony Cekada

December 5, 2018

November 30, 2018, the Feast of St. Andrew the Apostle, marked the 25th anniversary of the episcopal consecration of the Most. Rev. Daniel L. Dolan by the Most Rev. Mark A. Pivarunas.



We observed the happy occasion at St. Gertrude the Great Church in West Chester, Ohio, with a splendid Pontifical High Mass celebrated by Bishop Dolan and attended by a dozen priests and two bishops.

The story of how his consecration came to pass, however, is worth telling once again as we celebrate this event.

Our Search for a Bishop

Well before 1993, the year of the consecration, **the situation looked bleak** for the apostolate of former members of the Society of St. Pius X like me. Archbishop Marcel Lefebvre had **expelled nine of us from SSPX in 1983** because we opposed his step-by-step program to “reconcile” his organization (even then!) with the heretics in the Vatican, and with the chief heretic of them all, John Paul II. Readers who are unfamiliar with the history of this crisis can consult the then-Father Donald Sanborn’s 1984 article, *The Crux of the Matter* and my own extensive account of the events, *The Nine vs. Lefebvre*.

Because Our Lord established the sacraments as the principal ordinary means of salvation for Catholics and since

most sacraments require priests to confer them, the question of finding a bishop to ordain future priests for our group weighed heavily on our minds. Virtually every bishop in the world had embraced the religion of Vatican II. The few prelates who were worried about the Council's effects would not take a public position by ordaining priests, we suspected – still less, by consecrating a bishop.

Nevertheless, we charged on, contacting a **retired South American bishop** and a **retired American bishop** who had belonged to an Italian missionary order. Fr. Sanborn spearheaded the effort. He met with **Bp. Alfred E. Mendez**, the former bishop of Arecibo, Puerto Rico (who in 1993 would in fact secretly consecrate a bishop for the SSPV). We rejected Bp. Mendez because he told Fr. Sanborn he **wanted to draw all traditionalists into a sort of “ordinariate”** under John Paul II – to become part of the heretical V2 religion under its false popes, in other words. (More facts about Bp. Mendez's unsuitability would come to light later.)

Fr. Sanborn travelled to Campos, Brazil, to meet with **Bishop Antonio de Castro-Mayer** to ask him to ordain for us. Bp. de Castro-Mayer, though more of a hard-liner than Abp. Lefebvre, was not a sedevacantist then (he would become one later), so he declined. But he told Fr. Sanborn to **“Go to Guérard”** – **Guérard des Lauriers**, a Dominican theologian and one of our former professors at Ecône who had been consecrated a bishop in 1981 by Abp. Pierre-Martin Ngo-dinh-Thuc, former archbishop of Hué, Vietnam. Since Guérard was a theologian, Bp. de Castro-Mayer continued, **one could be certain that his consecration was valid.**

This surprised Fr. Sanborn, because there had been number of controversies concerning Abp. Thuc's consecrations that had led us discount them as a viable option.

But based on Bp. de Castro-Mayer's recommendation, we decide to revisit the issue and **conducted an extensive investigation.** Eight of the original twelve Society of St. Pius V priests would eventually accept the validity of the consecrations.

How Bp. Dolan's Consecration Came About

In 1989, after our departure from SSPV, Fr. Dolan and I encountered a number of devout traditional Catholic laymen connected with the **Congregation of Mary Immaculate Queen (CMRI)**, headquartered at Mount St. Michael, a former Jesuit seminary in Spokane WA. CMRI priests **derived their orders from Abp. Thuc** (whose consecrations we then regarded as unquestionably valid), and subsequent discussion with the Fathers revealed agreement on major theological issues, notably, the new sacraments and the vacancy of the Holy See.

In 1991, Bishop Moises Carmona, head of the Mexican traditionalist organization Trento, asked the 12 CMRI priests to elect one of their number to receive episcopal consecration. Bp. Carmona, a respected pastor and former seminary professor in Acapulco, had himself (like Bp. Guérard des Lauriers) been **consecrated a bishop in 1981 by Abp. Thuc**.

The CMRI fathers selected Fr. **Mark A. Pivarunas**, whom Bishop Carmona then duly consecrated. While we were unable to attend the consecration ourselves, I was able to provide some help on rubrical matters in preparation for the extremely complicated ceremony. We were **pleased to have Bp. Pivarunas confer confirmations** at the old St. Gertrude's in Sharonville, Ohio. It was a very happy day, because it was first opportunity our faithful had to receive the sacrament since our expulsion from SSPX in the early 1980s.

Since Fr. Dolan not only knew the ex-SSPX milieu in Europe and the States, but was also fluent in French and Spanish, Bp. Pivarunas asked Fr. Dolan to accompany him on his visits to Mexico, France, Belgium and Italy.

In 1992, with a view towards **assisting clergy formerly belonging to SSPX**, as well as **Spanish- and French-speaking traditionalists**, Bp. Pivarunas asked Fr. Dolan to receive episcopal consecration. After considerable hesitation, Fr. Dolan agreed in mid-1993.

It was a bold and controversial move for Bp. Pivarunas to make, and an equally bold and controversial proposition for Fr. Dolan to accept. On Bp. Pivarunas' part, many in CMRI circles were opposed to having anything to do with Lefebvrists, even former ones like ourselves, not only because they regarded us as sell-outs, but also because they questioned the validity of Lefebvre's ordinations. On Fr. Dolan's part, many in the former SSPX milieu regarded CMRI as disreputable, or (like the four-priest rump of the SSPV under Fr. Clarence Kelly) continued to raise theologically ignorant objections to Abp. Thuc's consecrations.

But as subsequent events would prove, both **Bp. Pivarunas and the then-Father Dolan had an enormous amount of foresight into the good that could be done** in the long run for traditional Catholics.

The November 1993 Consecration

And so, on **November 30, 1993**, the Feast of St. Andrew the Apostle, during Pontifical High Mass, **Bp. Mark A. Pivarunas consecrated Fr. Daniel L. Dolan a bishop** during Pontifical High Mass. The rite took three hours, and all the solemnities of the *Pontificale Romanum* were observed. We took especial care to see that the ceremony was **as solemn, splendid and public as possible**.

Seventeen traditional Catholic priests from the U.S., Mexico and Canada participated in the ceremony, along with several hundred Catholics from various parts of the country. Among the latter was a fifteen-year-old high school boy from Michigan, **Joseph Selway**, who then aspired to the priesthood and who, twenty-five years later, would be consecrated a bishop, with Bp. Dolan serving as one of his co-consecrators.

Bp. Dolan's consecration made it possible for us to begin forming young men for the priesthood once again. So, in September, 1995, **Fr. Sanborn**, former Rector of the SSPX seminary in the U.S., **founded Most Holy Trinity Seminary** in Warren, Michigan, from which it would later move

to Brooksville FL, north of Tampa. I joined Fr. Sanborn that year as part-time professor of liturgy and canon law, in between my duties in Cincinnati and the missions we served.

Bp. Dolan's Apostolate

From this beginning, Bp. Dolan's work eventually spread throughout the world. As a young priest in SSPX, he was an indefatigable traveller when it came to bringing the faith and valid sacraments to Catholics far and wide in the U.S. In SSPX alone, **he founded thirty-five chapels and missions** before his expulsion with the rest of "The Nine" (as we were called) in April 1983.

As a bishop, he would continue that missionary zeal by assisting faithful Catholics not only in the United States, but in countries throughout the world.

While the average layman who assists at Mass at a sedevacantist chapel may think he is – unlike a parishioner in the Borg-like SSPX Reich – isolated and unconnected with like-minded Catholics elsewhere, this is not necessarily the case, thanks to Bp. Dolan's work.

In the bigger picture, though he eschewed founding any grand organization, **Bp. Dolan's cooperative spirit in the apostolate has allowed numerous sedevacantist groups throughout the world to work together** – in America, Canada, Mexico, Brazil, Argentina, England, France, Belgium, Italy, Germany, Austria, Hungary, Poland, Ukraine, Australia and Nigeria.

Bp. Sanborn's Anniversary Sermon

This was a main point in Bp. Donald Sanborn's sermon at Bp. Dolan's twenty-fifth anniversary. He also pointed out that, even as an SSPX seminarian at Ecône in the early 1970s, the **young Daniel Dolan** was responsible for educating many of us on **issues such as the false pope, the invalidity of the Vatican II sacraments, and the dangers of the 1950s liturgical reforms**. It was amazing to

hear Bp. Sanborn remind us of the many times Bp. Dolan had led others to a correct and coherent resolution of some difficult question Catholics faced in the post-Vatican II era.

Bp. Sanborn also spoke in amazement about how Bp. Dolan **never repeats a sermon**. They're all freshly prepared, often begun on the Monday before. Over 42 years, that adds up to about 2700 major (Sunday and Holy Day) sermons about 6500 minor (weekday) sermons – **a total of 9200**.

I highly recommend that readers listen to Bp. Sanborn's sermon in full. It not only recounts events in Bp. Dolan's long and fruitful apostolate, but also provides **a coherent overview**, both historical and theological, **of the motives and mode for our resistance to the Vatican II religion in all its forms**. As such, it is invaluable for newcomers to the traditionalist movement, as well as for our younger generation, who may not be familiar with background to our work.

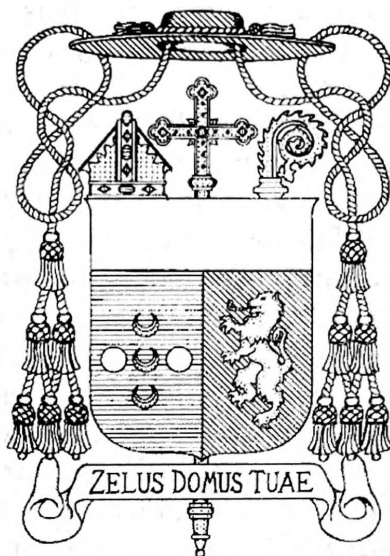
Pontifical Mass and Music

The centerpiece of the anniversary celebration was Pontifical High Mass. The **St. Gertrude the Great Choir**, under the direction of **Joan Lotarski** and accompanied by parish organist **Andrew Richesson**, sang splendidly for the occasion. The music included the festive processional *Veni Sancte Spiritus*, which was my own composition; the *Mass of St. Gregory the Great* by Andrew Richesson; the Credo from the *Salve Regina Preis-Messe* by the 19th century Caecilian Movement composer J.G. Stehle; Renaissance composer G. Asola's *Decantabant Populus* as the second Offertory motet; Gregor Aichinger's *O Sacrum Convivium* during Communion, and as the organ postlude, J.S. Bach's dazzling "Dorian" Toccata, expertly performed by Mr. Richesson.

So too, the **St. Gertrude the Great Schola** under the direction of **Charles Simpson**, which chanted the calm and ethereal Gregorian Propers of the Mass of St. Andrew.

A Specially Composed Motet

The musical high point came with the first Offertory motet, a **new musical work our young Mr. Richesson composed especially for this occasion** and based on Bp. Dolan's episcopal motto *Zelus Domus Tuæ* – "Zeal for thy house." Twenty-five years ago, Bp. Dolan had selected the phrase, taken from Psalm 68, as an allusion to his desire to preserve the traditional Catholic liturgy in all its fulness and splendor. The translation of the full text of Mr. Richesson's motet reads:



Zeal for thy house hath consumed me... For I am poor and sorrowful: thy salvation, O God, hath set me up. So I will praise the name of God with a canticle: and I will magnify him with praise. – Psalm 68:10, 30-31

The Latin text of the Psalm, by the way, contains a **felicitous pun on the bishop's last name**: *quia ego sum... dolens*.

A Joyous Reception

A joyous reception followed in Helfta Hall, our church social hall, named after the monastery where our patroness, St. Gertrude the Great, had been abbess.

Our parish is known for the frequency of its parties, usually connected with some significant liturgical observance. **A team of women and young ladies from the parish worked for weeks planning the reception and decorations.** An array of hot and cold hors d'oeuvres and beverages were spread out at stations throughout the hall, and a group of young parishioners served as waiters.

A string quartet, assembled by Lou Proske, the violinist from the Dayton Symphony Orchestra who has been providing music for our Christmas morning Mass for more than thirty-five years, played a selection of classical music during the reception.

This provided a good opportunity for us to hear yet another musical piece written by our resident composer, Mr. Richesson, his *Sonata in D* for string quartet.

The gathering included faithful from various parts of the country, many of whom had known Bp. Dolan from the first years of his priestly missionary apostolate in the late 1970s.

All told, Bp. Dolan's 25th anniversary celebration was a memorable event to commemorate the considerable and lasting accomplishments of a memorable apostolate.

Our wish for Bp. Dolan is the same wish the new bishop thrice chants to his consecrator at the end of the traditional *Rite of Episcopal Consecration: Ad multos annos* – May you enjoy many more years!

A BIT RICH, VICAR!

FR. HUNWICKE VS. PIUS XII

Rev. Anthony Cekada

January 26, 2019

On his *Mutual Enrichment* blog in early January 2019, ex-Anglican-turned-Novus Ordo High Church apologist Fr. John Hunwicke posted three short articles that attempted to refute my lengthy study of the 1968 Rite of Episcopal Consecration, “Absolutely Null and Utterly Void,” which, among other things, demonstrated that the essential sacramental form in the new rite did not univocally express the conferral of the episcopal order, and was therefore invalid.

Fr. Hunwicke, it seems, had posted the first two articles on the topic more than a year ago, and in the second, written in his coy and ever-so-precious style, dropped hints about the existence of some supposedly damning “evidence,” which he then failed to deliver.

Now comes Fr. Hunwicke with a third article and the supposed evidence, **claiming that the form Pius XII himself specified in 1947 did not univocally express the conferral of the episcopal order.**

Yes, you read that right.

As his proofs, Fr. Hunwicke offers (1) an opinion from Cardinal Gasparri (+1934) in his treatise on Holy Orders, and (2) a “medieval manuscript” that reads “mysterii” where the Pius XII form reads “ministerii.”

In response:

1. GASPARRI. Until 1947, theologians proposed a wide array of opinions as to what constituted the essential form in the rites for conferring the priesthood and the episcopacy, and Gasparri’s was just one among many.

That is why Pius XII **settled** the question in *Sacramentum Ordinis* – so one can hardly cite Gasparri’s opinion on the form for episcopal consecration *against* Pius XII, since Pius XII himself rejected it.

Uh, that’s why Catholics have popes, Vicar Hunwicke – to

settle matters. Romish theology, you know. We don't get to second-guess them with twee remarks over sherry after Choral Evensong.

2. MYSTERII. Does a variant reading “mysterii” instead of “ministerii” in a **medieval manuscript** somehow disprove the univocal nature of the traditional form?

- a) Once again, Pius XII **settled** the question: he said **the form must be univocal** and then **told us exactly what it was**. If you're a Catholic, you don't get a do-over, no matter how long you peek out at us over your glasses.
- b) The first page of any pre-Vatican II sacramental theology treatise will give the etymology of the word *sacrament*, and tell you that the Greek term for sacrament is *mysterion*.

So sorry, Vicar, no equivocation there, either – the term you've fixed on means *sacrament*.

Thus his fundamental errors. But for a more lengthy treatment of some of the issues, see Novus Ordo Watch's three-part series *They Are Really Not Bishops*.

In the meantime, though, we could start a fundraiser to buy the Vicar some proper bifocals. Maybe then he can try to educate himself about sacramental forms and Catholic ecclesiology...

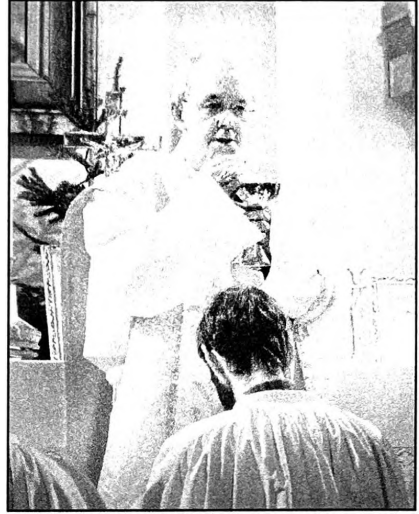


THE ERRORS OF ATHANASIUS SCHNEIDER

Rev. Anthony Cekada

April 6, 2019

Six years' worth of the antics of Jorge Mario Bergoglio (aka "Pope Francis") have left a lot of previously clueless Catholics really shaken. The radical and destructive nature of the Vatican II doctrinal and moral revolution, kept discreetly masked to a large extent under the regimes of John Paul II and Benedict XVI, finally emerged into the light of day once Bergoglio took charge in March of 2013 and began to implement the Council at full speed and with a vengeance (often literally).



The "right" in the Conciliar Church – those we will here call "conservatives" or, in the case of those who promote the old Mass in the Novus Ordo system, "neo-trads" – were at first stunned, then outraged by the breadth, depth, and sheer volume of errors that Bergoglio began to crank out by word and deed.

Lengthy and open critiques of Bergoglio started appearing in conservative and neo-trad opinion outlets. Soon even the words "heretic" and "heresy" began to pop up. But since Bergoglio's critics in these circles had long pronounced sedevacantism to be utterly unthinkable, they had to create some sort of plausible theological justification for their overall position. This "third way" would somehow need to allow them to continue to do two things:

1. Utterly *ignore* the errors and heresies Bergoglio teaches and acts upon, and

2. Still claim Bergoglio is a true pope, the Successor of St. Peter, and the Vicar of Jesus Christ on Earth.

The justification the conservatives and neo-trads have come up with for squaring the circle is this: The theologians who taught that the pope receives some sort of special assistance from the Holy Ghost in his authentic magisterium – the teaching function that he exercises every day – were *wrong*. Similarly, theologians were likewise wrong in saying that Catholics must give “the assent of the intellect” to what the pope teaches through this authentic magisterium.

Poof – There you have it! Problem solved! The *pope* has no rights, and *you* have no obligations!

But this convenient theory not only ran afoul of the teachings of pre-Vatican II theologians (see, for instance Salaverri, *De Ecclesia*, 1:503ff), but also of the explicit teaching of the popes themselves:

[T]he teaching authority of the Church, which in the divine wisdom was constituted on earth in order that revealed doctrines might remain intact forever, and that they might be brought with ease and security to the knowledge of men, - - **is daily exercised** [*cotidie exercetur*] **through the Roman Pontiff** and the Bishops who are in communion with him. (Pius XI, *Mortalium Animos*, 1928)

[I]t is He who enriches pastors and teachers and above all His Vicar on earth [*imprimisque suum in terris Vicarium*] **with the supernatural gifts** of knowledge, understanding and wisdom, so that they may loyally preserve the treasury of faith, defend it vigorously, and **explain it and confirm it** with reverence and devotion. (Pius XII, *Mystici Corporis*, 1943)

As regards opinion, whatever the Roman Pontiffs have hitherto taught, or shall hereafter teach, **must be held with a firm adherence of the mind** [*necesse est et tenere iudicio stabili comprehensa*], and, so often as occasion requires, must be openly professed. (Leo XIII, *Immortale Dei*, 1885)

It becomes even more obvious why conservatives and neo-trads want to dump these established doctrines if we add

still another passage on papal teaching authority, taken from Leo XIII's 1890 Encyclical *Sapientiæ Christianæ*, and intersperse it with a few of the more memorable teachings of "Pope Francis."

Hence, the Pontiff must have the power authoritatively - - to declare what is virtuous [*Adulterous second marriages after a discernment process!*] and what is sinful [*The death penalty! Harming the environment!*], what it to be done [*Open borders! LGBT accompaniment!*] and what it to be avoided [*"Below-the-waist" obsessions! Faith as adherence to doctrine! Proselytism! Conversions! Having all the answers!*] in the work of salvation, for otherwise he could neither be a sure interpreter of the moral word of God nor a safe guide to man.

No matter. Under the conservative/neo-trad theory, both papal teaching authority and its content are toast – recycled snacks for the Bergoglio peace pigeons.

You can have your pope – but he's a cardboard-y one, like a WalMart display that automatically chatters at you as you walk by, but which you generally ignore. Such a pope is in some sense "Peter," but with his he-who-hears-you-hears-me microchip removed.

In the process of promoting their theory of a denatured papacy, the conservatives and neo-cons then began to denigrate the traditional pre-Vatican II teaching on the papal office by employing terms like "papolatry" (idolatry of the pope), "Ultramontanism" (a 19th-century epithet invented by Gallicans, "Enlightenment" rationalists and other enemies of papal authority), and "the decadent theology of the manualists" (a 20th-century modernist slam against systematic neo-scholastic Thomism).

This disturbing phenomenon has now become quite widespread, but I will address it at some length in another article.

I. The Schneider Intervention

Here I will comment on one recent article that is most representative of this position, "On the Question of a Heretical Pope," by the Most Rev. Athanasius Schneider, auxiliary bis-

hop of the Archdiocese of Saint Mary in Astana, Kazakhstan. It appeared on the *Rorate Cæli* blog on March 20, 2019, and was the subject of an additional interview with Bp. Schneider that appeared March 25, 2019 on *Life Site News*.

We will have to discuss the bishop's article in considerable detail, not only because he touches upon a wide variety of issues, but also because Bp. Schneider is regarded in conservative and neo-trad circles as a leading voice against the more outrageous Bergoglian errors. I know that longer articles are not to every reader's taste, so I hope to produce another, shorter article to summarize what follows.

It is obvious from the title that Bp. Schneider intends to squelch any tendencies among conservatives and neo-trads to consider the possibility that in Francis, they are faced with a heretic who therefore could not possibly be a true pope – to embrace sedevacantism, in other words.

To preclude this, Bp. Schneider will attempt to destroy pre-Vatican II teaching on both the special or binding nature of ordinary papal magisterium and on the automatic loss of office by a heretical pope. This way, conservative and neo-trad readers will feel free to ignore Bergoglio's heresies, while still entertaining the consoling fantasy that a public heresy-spewer can still be "Peter."

One would think that a bishop who holds a doctorate in theology (albeit Patristics) would manage to present an at least superficially coherent argument for what is, on the face of it, such an outrageous attack on both papal teaching authority and a near-unanimous theological opinion.

But here, one would think wrong. Bp. Schneider's article is a 7000-word-long buffet table of factual errors, unproven theological claims, dumb analogies, and unconnected ideas, tossed together without any semblance of linear reasoning or evidence of serious research. The style and construction of the article is so stream-of-consciousness and scattershot that one expects to find a note at the end stating: "Dictated but not read."

The main offerings His Excellency has cooked up to support his position are:

- Schneider's own proposal to establish a sort of "papal corrector."
- The case of Pope Honorius as an analogical argument against sedevacantism.

These dishes are set among an odd assortment other garnishes on the buffet table that compliment neither the main fare nor each other – the theological equivalents, say, of marshmallow sushi and sardine cheesecake.

II. Bp. Schneider's Ancillary Arguments

First, we turn to some of these ancillary arguments. Each one is aimed (and clumsily) at demonstrating that there is *no* obligation of internal assent to ordinary papal magisterium, and if a pope *does* spew heresy, well, we should just shrug, say "Meh," and be "spiritual" about it.

1. *There is "no true consent" about how to handle a heretical pope.* False. Didn't the bishop do *any* research? Or doesn't Google work in Kazakhstan? After St. Robert Bellarmine, dogmatic theologians and canonists *all* eventually settled upon Bellarmine's teaching as the correct one: if a pope becomes a public heretic, he automatically loses office because he puts himself outside the Church. Even Dr. Roberto de Mattei calls Bp. Schneider out for cavalierly dismissing a fact that everyone seems to know. (See section V below)
2. *Pope John XXII (1316-1334) was considered "heretical or semi-heretical."* Distorted history and factually false. Countless pre-Vatican II dogmatic theologians refuted this claim. For a summary, see my article "Dr. de Mattei Prescribes an Anti-Sede Tranquilizer."
3. *"The Church in the very rare concrete cases of a pope committing serious theological errors or heresies could definitely live with such a pope."* Only if, like

Bp. Schneider and company, you think you can ignore what the Vicar of Christ teaches. But those of us who believe that Christ gave the pope *real* teaching authority and the special graces to exercise it would, like the pre-Vatican II canonist Maroto, hold that **public heretics “must certainly be regarded as excluded from occupying the throne of the Apostolic See, which is the infallible teacher of the truth of the faith and the center of ecclesiastical unity.”** (*Institutiones Iuris Canonici* 2:784)

4. *The opinion of theologians erred on the matter for Holy Orders.* False, and a truly pathetic analogical argument to attempt against Bellarmine. Theologians **engaged in a dispute** over what constituted the matter for Holy Orders – there were six different theological opinions – and Pius XII **settled the dispute** in *Sacramentum Ordinis* (1947).
5. *Since an excommunicated person can validly become a true pope, so can a heretic.* False and a red herring. Excommunication is an impediment of **ecclesiastical law** from which papal conclave legislation can and did dispense. Heresy, on the other hand, is an impediment of **divine law** to obtaining the Pontificate, and as such, papal conclave legislation did not and indeed, *could* not dispense from it. This objection to sedevacantism has been repeatedly answered. See my 2007 article “Can an Excommunicated Cardinal Be Elected Pope?”
6. *The pope is like a bad dad; you cannot “disinherit him as the father of a family.”* Stupid and inappropriate analogy. The authority of the father of a family arises out of the natural law as the result of a **physical fact**, and consists in **private dominative power** over his subjects (wife and children); he can **never cease** to be a father. The authority of the Roman pontiff, on the contrary, is based on a divine power conferred upon him as the result of a

juridical fact, and consists in **public jurisdictional** power over his subjects (the members of the Church); he was not always pope, and he **can cease** to be pope through heresy, insanity, resignation or death. The idiotic “bad dad” analogy is one of the most ancient of the many Recognize-and-Resist tribal myths. See my article “The Tribal Myth-Keepers.”

7. *The attempt to depose a heretical pope is “too human,” a refusal “to bear the Cross.”* Hokey, theology-free, pseudo-spirituality. Tell that to St. Robert Bellarmine.
8. *“**Another error in the intention or in the attempt to depose a heretical pope consists in the indirect or subconscious identification of the Church with the pope.**”* Has our bishop/Patristics laureate ever stumbled across St. Ambrose’s dictum *Ubi Petrus, ibi Ecclesia* – Where Peter is, there is the Church?
9. *The theory allowing a pope to lose office is a kind of “Donatism.”* Another stupid and inapposite analogy. The Donatist heresy maintained, in effect, that the **permanent power of the sacramental character** received at ordination can be lost through the unworthiness of the minister. Papal loss of office, however, pertains to the **loss of the power of jurisdiction**, which is *not* permanent and *can* be lost for a variety of reasons – death, loss of reason, resignation, or heresy.
10. *When a pope is in heresy, he is “in spiritual chains,” just as St. Peter was in material chains.* Another dumb analogy, and pseudo-piety. A pope who is a heretic is no longer “Peter.” And who put Bergoglio in *his* chains except for Bergoglio *himself*?
11. *St. Pius X was the first pope who made a “radical reform” in the order of psalms recited in the Divine Office.* Hogwash, dreamed up and endlessly recycled by lay liturgy hobbyists. The primitive Roman

- arrangement of psalms was first altered by **St. Gregory the Great** (ca. 600) and then by **St. Pius V** (1568). See my article "The Centenary of Divino Afflatu and St. Pius X's Breviary Reforms."
12. *Pope Pius IX, when asked to put St. Joseph in the Canon, made the "impressive and thought-provoking" remark: "I cannot do this: I am only the Pope." Oh really? Pius IX also said: La tradizione sono io! – I am tradition! Also rather thought-provoking, especially if you engage in a day-to-day vetting of a pope's teachings so you can decide which ones to accept "in light of tradition."*
 13. *"The more a pope spreads doctrinal ambiguities, errors, or even heresies, the more luminously will shine the pure Catholic Faith of the little ones in the Church."* Is Bp. Schneider kidding? Was someone burning the Kazakh poppy crop outside his window when he typed that sentence? What happens when "the little ones" ask mom what the Holy Father meant by "somasochism" or "coprophilia"? Has His Excellency ever heard the bit in the Gospel about scandalizing the little ones and mill-stones?

But enough of these howlers. We now turn to the two principal issues to which Bp. Schneider wishes to draw his readers' attention.

III. A Proposal for a "Papal Corrector"

This is what Bp. Schneider offers us as the antidote to future Bergoglios, a solution he claims is a "safer" alternative to the ultimately near-unanimous teachings of theologians and canonists that a heretical pope automatically loses his office.

"Binding canonical norms," His Excellency says, could stipulate the procedure to follow in the case of a heretical or manifestly heterodox pope. The Dean of the College of Cardinals would be obliged to correct the pope privately, then publicly, if that fails. The Dean would then appeal for the

whole Church to pray for the pope to confirm the Faith, and at the same time, publish a Profession of Faith rejecting the theological errors that the pope teaches or tolerates. If the Dean would fail to do this, any cardinal, bishop, group of bishops, or any group of the faithful could follow the same procedure. Any person involved, moreover, could not be subject to canonical sanctions.

My first reaction is that Cardinal Sodano, the current Dean of the College, might need to collect another fat envelope of cash from the Legionaries of Christ before getting the process going – to transform himself, as it were, from the “Cardinal Collector” into “Cardinal Corrector.”

That said, the proposal suffers from a number of other fatal flaws.

1. It violates the general principle *Prima sedes a nemine judicatur* – the First See (the pope) is judged by no one. In Bp. Schneider’s plan, inferiors are allowed to sit in judgment on the teaching and authentic magisterium of a true pope, and if these, in their judgment, be found wanting, publicly condemn them as false.
2. A true pope is not subject to canon law because, as Supreme Legislator, he is *above* it, and can modify and change any part of it. A heretic pope could therefore modify the “canonical norms” Bp. Schneider proposes or suppress them in their entirety.
3. A true pope, likewise, has universal jurisdiction, which allows him untrammelled power to appoint or remove officeholders. A Cardinal Dean who would invoke the “correction” legislation Bp. Schneider proposes and decide to become Cardinal Corrector to a heretical pope could therefore find himself summarily removed and appointed as a sort of “Cardinal Neighbor” to Bp. Schneider – in nearby Turkmenistan, Uzbekistan, or Tajikistan.
4. Who corrects the correctors? What guarantee does one have of *their* doctrinal orthodoxy, or even moral

- probity, in presuming to issue a correction? This, as I pointed out in my video *Stuck in a Rut*, was the problem with insisting that before heresy could exist in a pope or anyone else, the heretic first had to have three warnings from an “orthodoxy buddy.”
5. And what is the endgame Bp. Schneider proposes if the correctee ignores the correctors? The bishop does not say. The pope-heretic continues to teach errors and heresies to the entire Church, I guess. I suppose in the Schneiderian/conservative/neo-trad revised theology of papal magisterium, thanks to the missing microchip, the pope would just continue to be ignored.
 6. Bp. Schneider, moreover, seems not to have considered that this do-it-yourself correction business could well cut both ways for a more “orthodox” successor to Francis. Disgruntled *National Catholic Reporter* progressives and the German bishops’ conference, say, could well decide to launch the “correction” torpedo again a future Pope Burke-olio, claiming that *he* is spreading errors that contradict his beloved predecessor’s teachings on contraception, adulterous second marriages, clericalism, immigration, the death penalty and plastic straws.
 7. And finally, one must add: “Oh, yes, Your Excellency. Nice to hear about the ‘public correction’ proposal. How has that been working out for you so far?”

In his “papal corrector” proposal, therefore, Bp. Schneider is grasping at straws – though not, one hopes, environmentally harmful plastic ones.

IV. The Honorius “Solution”

Here, Bp. Schneider proposes that we draw a principle for a course of action vis-à-vis Bergoglio from the controversy over Pope Honorius I (625-638). Before assessing the bishop’s reasons, though, we will need to provide the reader with some background information.

A. General Background. Honorius reigned during the great controversy over the Monothelite heresy (=Christ had only one will, the divine). Around 634, he was approached by Sergius, Patriarch of Constantinople, who was attempting to resolve the dispute and pacify all sides in order to please the emperor Heraclius. Honorius responded to Sergius with several letters dealing with the controversy. Their contents became public only after the death of Honorius, and led to his being accused, variously, of either being a heretic himself, or at least, of being soft on heresy.

In 681 the Third Council of Constantinople posthumously condemned and anathematized Honorius, together with several Monothelites, which condemnation was subsequently renewed by the Second Council of Nicaea in 787 and the Fourth Council of Constantinople in 870. The condemnation subsequently made its way into the texts of some ecclesiastical oaths, and the Roman Breviary prior to 1570 portrayed Honorius as having been condemned for heresy.



Nevertheless, despite these condemnations, the Church continued to recognize Honorius as having been a true pope and true successor (albeit perhaps weak) of St. Peter.

Thus the facts in the story of Honorius that everyone agrees upon.

B. Disputed Facts and Interpretations. But there are countless *other* facts and complications in this story that church historians and theologians do *not* agree upon, have interpreted in different ways and, generally, have been fighting over for centuries.

These disputed issues include: whether the texts themselves of Honorius's letters *really* prove he was a heretic, or merely that he was "soft" in combatting heresy; how the term "heresy" is to be understood in the various conciliar condemnations, since at the time it did not always have the precise technical meaning it has today; whether the subsequent papal approval of the conciliar acts of Third Constantinople (necessary for their legal effect), approved the condemnation of Honorius for heresy properly speaking, or only cowardice; or whether some of the documents were or contained forgeries, a common problem during the era.

Countless other uncertainties like these muddy the waters, making it difficult not only to arrive at a clear and objective historical account of the Honorius affair, but also to tease out of these complicated events correct theological consequences.

Protestants, Gallicans, rationalists and others, especially in the 19th century, had no hesitations about *their* conclusions, of course, and they routinely trotted out the Honorius affair as one of their main arguments against papal authority in general, and papal infallibility in particular.

Over the centuries, however, the great Catholic dogmatic theologians, including St. Robert Bellarmine, while often disagreeing among themselves over facts and the documentation in the case, refuted at great length the repeated attempts to use Honorius as a cudgel to smash traditional Catholic teaching on the authority of the pope. Their arguments were so successful that by the twentieth century, the standard dogmatic theology manuals usually treated the case of Honorius summarily, in a sentence or two, among the minor objections to the pope's authority.

C. Honorius and the Traditionalists. After Vatican II, nevertheless, traditionalist writers of the "recognize and resist" variety, such as Michael Davies and Christopher Ferrara – perhaps unaware that they were keeping some utterly disreputable theological company – tried to resurrect Honorius as a killer analogical argument against both sede-

vacantism and against the obligation to assent to ordinary papal teaching. The conclusion they wanted to be drawn was that since Honorius was a heretic and the Church still recognized him as a true pope, so too, a pope who is a heretic does *not* lose his office and may safely be ignored.

Nearly fifteen years ago, it took me only a few sentences to shoot down this shaky analogy in my article “Mr. Ferrara’s Cardboard Pope” (see #11).

D. Honorius in the Age of Bergoglio. Honorius, though, started surfacing again in conservative and neo-trad attempts to explain Bergoglio, such as Dr. Roberto de Mattei’s 2015 article “Honorius I: The Controversial Case of a Heretic Pope.” In these articles, wherever Catholic historians and dogmatic theologians in the past disagreed over facts, documentation, or the analyses thereof, these conservative and neo-trad polemicists always picked whichever position which seemed the most damaging to Honorius – and therefore the most favorable to their own anti-sedevacantist, ignore-the-pope position.

This is the same procedure that Bp. Schneider now follows with Honorius, in order to push readers to the following conclusion:

Pope Honorius I was fallible, he was wrong, he was a heretic - - [The three successive ecumenical councils, despite the fact that they] excommunicated Pope Honorius I because of heresy, - - **did not even implicitly declare that Honorius I had lost the papacy *ipso facto* because of heresy. In fact, the pontificate of Pope Honorius I was considered valid even after he had supported heresy in his letters to Patriarch Sergius in 634, since he reigned after that another four years until 638.**

I am sure that Bp. Schneider thought that this argument was really powerful and original (as, no doubt, did many of his conservative and neo-trad readers). But once again, had he done even a bit more research, he would have discovered that the argument had already been made and summarily shot down a long time ago.

E. Yes, Another Faulty Analogy. For like countless trad controversialists of the '70s, '80s, '90s and '00s, His Excellency wishes us to derive by analogy from this complex series of events two general theological principles:

- The Honorius case defeats Bellarmine's teaching that a heretical pope automatically loses his office.
- The Honorius case demonstrates that Catholics have no obligation to assent to ordinary papal magisterium.

Both of these analogical arguments and the principles derived therefrom are false, simply because the common properties needed for *any* analogy to "work" are completely absent from *these* analogies.

1. Catholic historians and dogmatic theologians hotly disputed factual issues in the Honorius case (whether the letters showed he was guilty of heresy or merely soft on it, the sense of the term "heresy," the meaning of the conciliar condemnations, etc.); this renders the factual foundation of the analogies unreliable to begin with.

Why? Because one can have no certitude whatsoever about essential common properties between the two things we are comparing: the Honorius case and Bellarmine's loss-of-papal-office teaching.

As regards questions of *fact alone*, therefore, the basis for the analogy simply disappears.

2. The disputed letters were NOT PUBLIC; and it is only PUBLIC heresy that prevents a heretic from obtaining or retaining papal office or authority.

The theologian Hurter and others say it is certain that: "the letters of Honorius were unknown [*ignotæ*] until the death of the Pontiff and that of [the Patriarch] Sergius." (*Medulla Theologiæ Dogmaticæ*, 360.)

This one fact alone destroys the Honorius case as an argument both against the theologians after Bellarmine and against sedevacantism, even if one were to

concede that the contents of Honorius's letters *were* heretical. For it is only *public* heresy that takes someone out of the body of Church, and in the case of the papacy, it is *public* heresy that prevents the heretic from obtaining or retaining papal authority. *Private* heresy in a pope, on the other hand, has no such effect.

The existence of *public* heresy in a pope is the very foundation for the principle Bellarmine lays down, and it is the existence of *public* heresy in the Vatican II popes to which sedevacantists apply Bellarmine's principle and draw their conclusion.

So Bp. Schneider, like countless others before him, is offering an analogy that is not apposite – or in plain English, is just plain dumb – based as it is on a phony apples-to-oranges comparison.

3. The disputed letters were not public; they may not therefore be adduced as an analogical argument against the obligation of Catholics to give “the assent of the intellect” to what the pope teaches through his authentic ordinary magisterium.

Papal letters that remain hidden and unknown throughout the course of a pontificate and only surface after a pope dies are not magisterium at all. The “teacher” (*magister*) was dead for fifty years – in this case, until 680 – and there was no one in the classroom.

And in the present discussion, it is the *public* teachings (either by word or by deed) of the Vatican II popes that faithful Catholics object to as contrary to Catholic faith and morals – the errors and evils these men have openly and manifestly attempted to impose upon the universal Church in every part of the world. This they have done on thousands of occasions through their countless encyclicals, decrees, instructions, decrees, speeches, discourses and public acts.

So, as with the loss-of-papal-office argument, the Honorius analogy lacks yet another common property for the principle it attempts to prove.

4. The principle upon which Bellarmine and sedevacantists base their theological position is derived

from the data of revelation – faith is necessary for membership in the Church – and on the face of it therefore offers a degree of theological certitude that cannot be obtained from a mere (and in this case, factually questionable) analogy.

The argument from analogy (comparing the common properties between two things) can never provide certitude, only probability. Only *significant* resemblances have value in an argument of this type (Bittle, *Science of Correct Thinking*, [1950], 348), and there are *none* here.

For in the case of Honorius, we have clearly demonstrated that the fundamental facts of the analogy are disputed, and that the requisite common properties do not exist. Moreover, even assuming that they *were* true, they could still not provide an even remotely credible analogical argument against Bellarmine, sedevacantism and the teaching authority of authentic papal magisterium.

V. De Mattei: “Somewhat Acceptable”

While the initial reaction among conservatives and neo-trads was to applaud Bp. Schneider’s article, the neo-trad historian Dr. Roberto de Mattei, as mentioned above, was less than enthusiastic, and indeed, adopted a damn-with-faint-praise tone in his March 22, 2019 *Rorate Cæli* interview.

You can almost see *il dottore professore* cringe when he says that the bishop’s article is “**somewhat acceptable** [my emphasis] at the present time, in order to avoid that crypto-sedevacantism some traditionalists tend toward,” as he tries to work his way delicately around the Schneider error on the agreement of theologians about papal loss of office.

Apparently, though, Dr. de Mattei did not believe that the bishop’s article would be sufficient to stifle intrusive thoughts about sedevacantism among the conservative and neo-trad troops. The good doctor therefore felt compelled to do a three-paragraph riff on how, well, when Bellarmine or Cajetan were writing about a *publicly* heretical pope, they *really* mean “public” in the sense that heresy was evident to a society that was fully *Catholic*.

I think that the errors or heresies of Pope Francis, even if **professed publically**, do not entail his loss of the papacy, since they are not known and manifest to the Catholic population. When I speak of the Catholic population, I'm not referring to the Catholic public opinion in the widest sense of the term, but to that restricted group of baptized who are today maintaining the Catholic faith in its integrity. Many of them still interpret *pro bono* the words and actions of Pope Francis and do not perceive any malice. We cannot say then that his loss of faith is evident and manifest.

Uh huh. So since, say, Catholic homeschoolers living off the grid in Hayden Lake, Idaho, haven't *noticed* Bergoglio's heresies, he is still home free as Vicar of Jesus Christ on Earth? Or would *ipso facto* loss of office kick in only after the homeschoolers and others like them all get high scores on a faith-maintenance/Bergoglio-heresy-perception quiz?

But wait, there's more! Not only do the small pockets of clueless but *orthodox* Catholics get Bergoglio off the hook, but also the great horde of *heretical* clergy and laity. *They* haven't noticed the heresy either!

the large majority of the baptized, the priests, the bishops, even the Pope, are immersed in heresy and very few people can distinguish the true faith. So the correct indications by great classical theologians are difficult to follow in practice.

Got that? **The millions of heretics that Vatican II has created cannot now recognize heresy as such, so papal heresy CANNOT really be public or manifest** – so the heretic-in-chief gets another free pass from them!

Thus – despite the internet, all the blogs, mass media, Facebook, Twitter, etc., etc. – Dr. de Mattei would have us enter a world of make-believe where Bergoglio's heresies are not *really* public, not *really* notorious, not *really* manifest. And this, so conservatives and neo-trads need not worry that the teachings of Bellarmine and countless other Catholic theologians and canonists apply to Bergoglio and to the rest of the Vatican II popes, even though an undisputably “public” reality is staring them straight in the face.

Here we need add one more observation. Other anti-sedevacantist polemicists in the past have, like Dr. de Mattei, tried to find an escape route to get around Bellarmine and company's teaching on a heretical pope (and thus around sedevacantism as well) by assigning fanciful technical meanings to the descriptors "public," "manifest," "openly divulged," etc. as applied to the term "heresy."

This door has already been shut, because the descriptors in question *were used interchangeably* before the 1917 Code to distinguish heresy circulated through public documents or speeches, say, from heresy that was occult or secret – written in a diary, or known to only a few discreet persons. See "A Pope as a 'Manifest' or a 'Public' Heretic."

VI. But Finally: Not Just a "Bergoglio Problem"

"Bishop Schneider's analysis on heretical popes," enthused the conservative/neo-trad site *One Peter 5*, "may be just the answer we're looking for."

No doubt – but it's the *wrong* one, based as it is on dumb analogies, "facts" that are misstated or simply wrong, Never-Never Land canon law fantasies, and theological errors. As we've demonstrated at great length above, conservatives or neo-trads are kidding themselves if they still think the theological dog's breakfast Bp. Schneider served up has solved their "Bergoglio problem."

And indeed, they are kidding themselves even more if they think that what they have been facing since March 13, 2013 is *just* a Bergoglio problem. It is, in reality, a **"Vatican II problem."**

Vatican II represented the triumph of the modernist heresy, dominated as it was by theologians who were, as the Louvain professor Jürgen Mettepenningen said, "inheritors of modernism." The poisoned seeds of theological error were sown during the Council with all its yes/buts, existentialist blathering, equivocations, ambiguities, work-arounds, silences, poisoned neologisms, redefinitions, false equivalences, destroyed distinctions and the rest.

Bergoglio is nothing more than one more poisoned fruit from a thoroughly poisoned garden, and he has merely been applying the principles that Vatican II gave him. So don't think that even by applying Bellarmine's loss-of-office principle to *him* you could somehow get rid of the underlying problem that he embodies.

For does anyone seriously think that Bergoglio embraced and began to spread the theological errors and heresies he now spouts only *after* he showed up on the loggia of St. Peter's six years ago, *sans* mozetta? Of course not – he was a heretic *before* he was elected, and as I have pointed out elsewhere, Bergoglio therefore really has nothing to lose.

The ultimate source of those errors, and the whole thought system that originated them and made implementing them possible, is the modernism of Vatican II. Unless conservatives and neo-trads admit *that* and act upon it, exchanging a Bergoglio for a Burke-olio and hoping for a restoration “from the top down” will be a fool's dream, since the modernism of Vatican II has already cracked and destroyed all the foundations, smashed the builders' tools, and carted the rubble off to an environmentalist landfill.

Admit it, folks. Except for a relatively small handful of Latin Mass safe houses, you've got nothing left. The whole *lex credendi* behind that *lex orandi* has disappeared. All around you, modernism has turned doctrine and morals into mush, translated its heresies into action, and institutionalized contempt for submission to the law and for the very notion of hierarchy.

So instead of continuing to rail ineffectually against the boogeymen of “papolatry,” “ultramontanism,” sedevacantism, and Honorius, conservatives and neo-trads who seek to preserve the faith should once and for all turn their fire on the *real* enemy – Vatican II – and thunder with one voice, “Anathema to the Robber Council! A thousand times anathema!”

DOES THE POPE HONORIUS AFFAIR REFUTE SEDEVACANTISM?

Rev. Anthony Cekada

April 24, 2019



The multitude of theological errors and evil laws that have emanated from the Vatican II popes over the past fifty years – and that is exponentially increasing during the madcap reign of Bergoglio – has prompted many traditionally-minded Catholics to seek out ways to reconcile the notion of papal authority with the obvious destruction wrought by those in our day who claimed to wield it.

Sedevacantists like myself settled on the following explanation a long time ago: the very errors and evils officially sanctioned by the Vatican II popes demonstrate that they never truly obtained papal office (or authority) in the first place, and were therefore false popes.

Others – be they Novus Ordo conservatives, neo-traditionalists within the Vatican II establishment, or traditionalists of the Recognize-and-Resist (R&R) variety – shied away from this conclusion. They sought to reconcile “recognizing” the V2 popes as true Successors of Peter with simultaneously “resisting” them – minimizing any obligation to adhere to the teachings of the V2 popes, to observe their laws, or in practice, to submit to their authority.

To achieve this end and to negate the logical appeal of sedevacantism, the conservative/neo-trad/R&R camp sought to demonstrate two things:

1. Since ordinary papal teaching lacked the “infallible stamp” that the rare *ex cathedra* papal pronounce-

ment possessed, Catholics had no obligation whatsoever to submit or adhere to it. Ergo, you're free to ignore Bergoglio's (or for that matter, Paul VI's) teachings and laws.

2. Some popes in the past (Nicholas I, Vigilius, Honorius, Liberius, Celestine III, John XXII, Alexander VI) were heretics, but nevertheless were always recognized as true popes. Ergo, a pope *can* teach heresy and still *remain* pope – take that, wicked sedes!

This is old stuff that the “right” subjected to constant recycling, even before Bergoglio's *Laudato Si*, and it always manages to float back, like gas from the landfill. I refuted point (1) in section 1 of “9/11 for the Magisterium,” as well as in the introduction to my recent article, “The Errors of Athanasius Schneider.” I have refuted point (2) in a variety of articles – and in so doing, please note, I have always pointed out that it was the Protestants, the Gallicans, and other haters of papal authority who raised these charges of “papal heresy” and were roundly trounced by an array of Catholic dogmatic theologians.

For the conservative-neo-trad-R&R camp, however, *the* historical case that seems both to provide a refutation of sedevacantism and to demonstrate the validity of points (1) and (2) is the case of Pope Honorius. From this, we are supposed to draw by analogy a principle for a course of action vis-à-vis Bergoglio and all the Vatican II popes that will allow one to recognize them as popes, but never, ever submit to them.

I dealt with the case in my lengthy article on Bp. Schneider, but since Honorius always seems to pop up in discussions of papal authority, I've been asked to sum up my arguments as a separate article.

1. General Background. Pope Honorius I (625-638) reigned during the great controversy over the Monothelite heresy (=Christ had only one will, the divine). Around 634, he was approached by Sergius, Patriarch of Constantinople, who

was attempting to resolve the dispute and pacify all sides in order to please the emperor Heraclius. Honorius responded to Sergius with several letters dealing with the controversy. Their contents became public only after the death of Honorius, and led to his being accused, variously, of either being a heretic himself, or at least, of being soft on heresy.

In 681 the Third Council of Constantinople posthumously condemned and anathematized Honorius, together with several Monothelites, which condemnation was subsequently renewed by the Second Council of Nicaea in 787 and the Fourth Council of Constantinople in 870. The condemnation subsequently made its way into the texts of some ecclesiastical oaths, and the Roman Breviary prior to 1570 portrayed Honorius as having been condemned for heresy.

Nevertheless, despite these condemnations, the Church continued to recognize Honorius as having been a true pope and true successor (albeit perhaps weak) of St. Peter.

Thus the facts in the story of Honorius that everyone agrees upon.

2. Disputed Facts and Interpretations. But there are countless *other* facts and complications in this story that church historians and theologians do *not* agree upon, have interpreted in different ways and, generally, have been fighting over for centuries.

These disputed issues include: whether the texts themselves of Honorius's letters *really* prove he was a heretic, or merely that he was "soft" in combatting heresy; how the term "heresy" is to be understood in the various conciliar condemnations, since at the time it did not always have the precise technical meaning it has today; whether the subsequent papal approval of the conciliar acts of Third Constantinople (necessary for their legal effect), approved the condemnation of Honorius for heresy properly speaking, or only cowardice; or whether some of the documents were or contained forgeries, a common problem during the era.

Countless other uncertainties like these muddy the waters, making it difficult not only to arrive at a clear and

objective historical account of the Honorius affair, but also to tease out of these complicated events correct theological consequences.

Protestants, Gallicans, rationalists and others, especially in the 19th century, had no hesitations about *their* conclusions, of course, and they routinely trotted out the Honorius affair as one of their main arguments against papal authority in general, and papal infallibility in particular.

Over the centuries, however, the great Catholic dogmatic theologians, including St. Robert Bellarmine, while often disagreeing among themselves over facts and the documentation in the case, refuted at great length the repeated attempts to use Honorius as a cudgel to smash traditional Catholic teaching on the authority of the pope. Their arguments were so successful that by the twentieth century, the standard dogmatic theology manuals usually treated the case of Honorius summarily, in a sentence or two, among the minor objections to the pope's authority.

3. Honorius and the Traditionalists. After Vatican II, nevertheless, traditionalist writers of the “recognize and resist” variety, such as Michael Davies and Christopher Ferrara – perhaps unaware that they were keeping some utterly disreputable theological company – tried to resurrect Honorius as a killer analogical argument against both sedevacantism (which is based on the theological teaching that a public heretic can neither obtain nor retain papal office or authority) and against the obligation to assent to ordinary papal teaching. The conclusion they wanted to be drawn was that since Honorius was a heretic and the Church still recognized him as a true pope, so too, a pope who is a heretic does *not* lose his office and may safely be ignored.

Nearly fifteen years ago, it took me only a few sentences to shoot down this shaky analogy in my article “Mr. Ferrara’s Cardboard Pope” (see #11).

4. Honorius in the Age of Bergoglio. Honorius, though, started surfacing again in conservative and neo-trad at-

tempts to explain Bergoglio, such as Dr. Roberto de Mattei's 2015 article "Honorius I: The Controversial Case of a Heretic Pope." In these articles, wherever Catholic historians and dogmatic theologians in the past disagreed over facts, documentation, or the analyses thereof, these conservative and neo-trad polemicists always picked whichever position which seemed the most damaging to Honorius – and therefore the most favorable to their own anti-sedevacantist, ignore-the-pope position.

This is the same procedure that Bp. Schneider recently followed with Honorius, in order to push readers to the following conclusion:

Pope Honorius I was fallible, he was wrong, he was a heretic - - [The three successive ecumenical councils, despite the fact that they] excommunicated Pope Honorius I because of heresy, - - **did not even implicitly declare that Honorius I had lost the papacy *ipso facto* because of heresy. In fact, the pontificate of Pope Honorius I was considered valid even after he had supported heresy in his letters to Patriarch Sergius in 634, since he reigned after that another four years until 638.**

I am sure that Bp. Schneider thought that this argument was really powerful and original (as, no doubt, did many of his conservative and neo-trad readers). But had he done even a bit more research, he would have discovered that the argument had already been made and summarily shot down a long time ago.

5. A Faulty Analogy. For like countless trad controversialists of the '70s, '80s, '90s and '00s, His Excellency wanted us to derive by analogy from this complex series of events two general theological principles:

- The Honorius case demonstrates that Catholics have no obligation to assent to ordinary papal magisterium.

- The Honorius case defeats the general principle laid down by St. Robert Bellarmine's (and relied upon by sedevacantists) that a heretical pope automatically loses his office.

Both of these analogical arguments and the principles derived therefrom are false, simply because the common properties needed for *any* analogy to "work" are completely absent from *these* analogies.

A. Catholic historians and dogmatic theologians hotly disputed factual issues in the Honorius case (whether the letters showed he was guilty of heresy or merely soft on it, the sense of the term "heresy," the meaning of the conciliar condemnations, etc.); this renders the factual foundation of the analogies unreliable to begin with.

Why? Because one can have no certitude whatsoever about essential common properties between the two things we are comparing: the Honorius case and Bellarmine's loss-of-papal-office teaching.

As regards questions of *fact alone*, therefore, the basis for the analogy simply disappears.

B. The disputed letters were NOT PUBLIC; and it is only PUBLIC heresy that prevents a heretic from obtaining or retaining papal office or authority.

The theologian Hurter and others say it is certain that: "the letters of Honorius were unknown [*ignotæ*] until the death of the Pontiff and that of [the Patriarch] Sergius." (*Medulla Theologiæ Dogmaticæ*, 360.)

This one fact alone destroys the Honorius case as an argument both against the theologians after Bellarmine and against sedevacantism, even if one were to concede that the contents of Honorius's letters *were* heretical. For it is only *public* heresy that takes someone out of the body of Church, and in the case of the papacy, it is *public* heresy that prevents the heretic from obtaining or retaining papal office. *Private* heresy in a pope, on the other hand, has no such effect.

The existence of *public* heresy in a pope is the very foundation for the principle Bellarmine lays down, and it is the existence of *public* heresy in the Vatican II popes to which sedevacantists apply Bellarmine's principle and draw their conclusion.

So the analogy that conservatives, neo-trads and the adepts of R&R wish to draw with Honorius is simply not apposite – or in plain English, is just plain dumb – based as it is on a phony apples-to-oranges comparison.

C. The disputed letters were not public; they may not therefore be adduced as an analogical argument against the obligation of Catholics to give “the assent of the intellect” to what the pope teaches through his authentic ordinary magisterium.

Papal letters that remain hidden and unknown throughout the course of a pontificate and only surface after a pope dies are not magisterium at all. The “teacher” (*magister*) was dead for fifty years – in this case, until 680 – and there was no one in the classroom.

And in the present discussion, it is the *public* teachings (either by word or by deed) of the Vatican II popes that faithful Catholics object to as contrary to Catholic faith and morals – the errors and evils these men have openly and manifestly attempted to impose upon the universal Church in every part of the world. This they have done on thousands of occasions through their countless encyclicals, decrees, instructions, decrees, speeches, discourses and public acts.

So, as with the loss-of-papal-office argument, the Honorius analogy lacks yet another common property for the principle it attempts to prove.

D. The principle upon which Bellarmine and sedevacantists base their theological position is derived from the data of revelation – faith is necessary for membership in the Church – and on the face of it therefore offers a degree of theological certitude that cannot be obtained from a mere (and in this case, factually questionable) analogy.

The argument from analogy (comparing the common pro-

perties between two things) can never provide certitude, only probability. Only *significant* resemblances have value in an argument of this type (Bittle, *Science of Correct Thinking* [1950], 348), and there are *none* here.

For in the case of Honorius, we have clearly demonstrated that the fundamental facts of the analogy are disputed, and that the required common properties do not exist. Moreover, even assuming that the fact *were* true, they could still not provide an even remotely credible analogical argument against Bellarmine, sedevacantism and the teaching authority of authentic papal magisterium.

* * * * *

Thus the answer to our question: No, the Honorius affair does *not* refute either (1) the general obligation Catholics have to adhere to authentic papal magisterium, or (2) the principle behind sedevacantism that a public heretic cannot obtain or retain papal authority.

Thus conservatives, neo-trads and R&R followers are left with the same dilemma they have faced for fifty years: How to reconcile, on one hand, the obvious errors and evils officially taught and sanctioned by the V2 popes, and on the other, the indefectibility and infallibility of Christ's Church, which by Our Divine Lord's promise can give neither error nor evil. One side of the dilemma must give way, my friends – it's either **men with no authority who have defected from the faith** or it's **a defected Church** where Christ's promise has become void. But for those with faith, this should be no dilemma at all.

SPIRITUAL COOTIES: THE SSPV SACRAMENTAL PENALTIES AFTER 30 YEARS

Rev. Anthony Cekada

July 4, 2019

Coot-ie: *n. informal... US. a children's term for an imaginary germ or repellent quality transmitted by obnoxious or slovenly people.*

July 4, 2019 marks the thirtieth anniversary of my departure from the Society of St. Pius V (SSPV).

Most traditional Catholics know that some sort of a conflict occurred many years ago among the priests who had left SSPX in 1983-84 and later formed the Society of St. Pius V (SSPV).

Few trads, however, know what *caused* the SSPV dispute. Fewer still know why the four priests who ultimately remained in SSPV (Frs. Kelly, Jenkins, Mroczka and Skierka), as a matter of policy, still refuse sacraments to lay Catholics affiliated with former SSPV priests such as Bp. Donald Sanborn and myself.

Normally, one would pass over in silence the details of such an ancient controversy. But thirty years on, a new generation of SSPV clergy *still* enforces this draconian penalty on a new generation of young traditional Catholics, and this naturally ought to raise a number of unsettling questions:

- Why do *you* – a faithful twenty-year-old traditional Catholic from my parish or Bp. Sanborn's, say – have to hide your affiliation if you're traveling and want to receive Communion at an SSPV mission?
- Why, if you're a twenty-year-old former graduate of Fr. Jenkins' school in Cincinnati, does Fr. Jenkins forbid you to receive Communion at Bp. Dolan's parish when it's convenient to do so?
- Why, if you are a parishioner at St. Gertrude the Great, does Fr. Jenkins refuse to allow you to be a

godparent for a nephew baptized at his church? (This incident actually occurred in late June, 2019 as I was writing this article.)

- Why, if you're a priest just ordained by newly-consecrated SSPV Bp. James Carroll, are you expected to enforce these penalties or prohibitions on your contemporaries, even though you can't find the "crimes" they punish described in any pre-Vatican II canon law or moral theology book?

These practices, as we shall see, are all applications of what I call the "SSPV Spiritual Cooties Rule."

Like the cootie of children's playground fame, the SSPV cootie is an imaginary creature. You "catch" this cootie infestation by receiving sacraments from a traditional Catholic priest who *himself* caught a cootie earlier – from someone that SSPV declared cootie contaminated. It makes no difference how long in the past the contamination occurred. The rule has no statute of limitations, and the SSPV cootie has a very, very long arm.

When you step back from it even a bit, it is obvious that the Cooties Rule is nothing more than a punishment based on guilt by association. None of us who are old enough to remember the pre-Vatican II Church can ever remember anything like this going on.

Where did the rule come from and why is it still in place? The answer is quite different from what you might at first imagine, and the thirtieth anniversary of my departure from SSPV is the perfect occasion for me to explain.

The Daughters of Mary

In early 1984, a year after our expulsion from the Society of St. Pius X, Fr. Kelly announced he was going to found his own order of nuns, the Daughters of Mary. He promptly purchased a property for it in Round Top, New York, an isolated location nowhere near our numerous mission Mass centers and a three-hour drive from our Oyster Bay headquarters.

Before proceeding further, we should be clear on the principles in church law that apply to founding an institution like this in the post-Vatican II era.

Lacking ordinary jurisdiction (the hierarchical ruling power that a diocesan bishop would have, for instance), no traditional priest or bishop has the power to establish a legally constituted religious order or religious congregation. A traditional priest or sister can only establish an organization of persons who *imitate the rules* of traditional orders and congregations.

In organizations like this, **the vows that members take have no public canonical status in church law**. Instead, lacking this public status, their vows are called “private” vows, even if a member pronounces them before a thousand people. They have the same status as a vow you or I might make to, say, give up coffee or pizza – and just like a no-pizza vow, a vow in the Daughters of Mary or any organization like it can be dispensed by any confessor for a sufficient reason.

With this in mind, we turn to the circumstances of the founding of the Daughters of Mary. Fr. Kelly gave his priest-colleagues (at that point, Frs. Sanborn, Dolan, Cekada, Jenkins, Collins, Zapp and Skierka) no real choice in the matter whether the convent should be founded or not. From the beginning, Fr. Kelly designed it as a one-man show; he and he alone would decide everything about the institution: its organization, its apostolate and its rules. There was no outside control on what Fr. Kelly would decide – especially from the other priests.

As a former religious myself, I considered this arrangement extremely dangerous. It was the recipe for establishing a closed personality cult, and there were several of those in the traditionalist movement already.

Soon, all the classic signs a cult started to emerge: the hero-worship of the great father-founder, Fr. Kelly’s secretiveness, his statement that “The best way to motivate people is through guilt and fear,” spiritual advice from outside priests being painted as unreliable, potential members being told they were obliged to join the Daughters of Mary or face

losing their souls, portraying departure from the organization as ingratitude to the Sacred Heart, and Fr. Kelly's duplicitous and dissembling statements to fellow priests.

Coupled with this, Fr. Kelly employed another cult-leader tactic. The Great Founder, while strict on measures to induce guilt, fear and absolute group loyalty in his followers, would be surprisingly liberal on other matters such as recreational activities, and he avoided instituting ascetical/disciplinary practices that were a normal part of pre-Vatican II religious life. The purpose was to relieve the inevitable pressure from the cult-building techniques in other aspects of common life.

And finally, there was the product. When I was Pastor of St. Pius V Chapel on Long Island and the Daughters of Mary arrived to teach at our school around 1987, I was not impressed. I found them liberal, lazy, and uncooperative.

I was not alone in my concern. Other priests familiar with the operation of the convent – Frs. Dolan, Collins and Ahern – noticed many of the same problems as well, as may be seen in our June 29, 1989 letter to Fr. Kelly.

Eight Pond Place
Oyster Bay Cove NY 11771

June 29, 1989

Rev. Clarence Kelly
St. Joseph's Novitiate
Round Top NY

Dear Clarence,

Over the past few weeks, there has been much discussion among several of the priests regarding the Daughters of Mary, their ongoing foundation and their apostolate. Some of us thought it would be good to summarize in writing the concerns and difficulties which came up. While each of us has not necessarily expressed every concern mentioned below, the following list provides a compilation of those matters deemed to be of primary importance. We regret that these points are so baldly stated, but the pressure of time made a more delicately-worded presentation impossible:

1. Given the times in which we live, any Catholic organization which lacks some system of checks and balances is in a dangerous situation. The foundation of the Daughters of Mary, its formation program and its constitutions, however, were undertaken without any outside system of checks and balances, and one man made all the determinations regarding them. The situation was dangerous and potentially scandalous.

2. The priests were given no choice in the matter of accepting this situation.
3. Despite the lack of any choice, priests were expected to provide financial and moral support for the congregation, and they provided it, either directly or indirectly.
4. The sisters have, in the final analysis, been formed solely according to one man's understanding of the application of the principles of the religious life.
5. The appointment of an interim government of the type you propose will present priests with an accomplished fact and will render any outside system of checks and balances impossible to implement. Moreover, the provisions recently enacted for the first stage of interim government appear to contradict the constitutions, e.g., the authority to admit a sister to perpetual profession.
6. Your proposal to become confessor to the sisters will inevitably result in increasing, not decreasing, your influence over the congregation and its members. It will not effectively disengage you from authority and influence over the congregation in the external forum, and at the same time it will necessarily cause you to exercise authority and influence in the internal forum.
7. Your recent decision to propose a sister for perpetual vows seems precipitous. Several priests have misgivings about the sudden amendment of the constitutions to allow for this, and lack confidence concerning the long-term stability of the congregation.
8. Some priests believe that you presented the sisters' aims and mode of pursuing the apostolate one way when the congregation was founded, but have departed from those ideas in practice; these priests are disappointed with the results so far.
9. Some priests believe that you lay down too many requirements for establishing convents in the missions, especially considering the missionary times in which we live.
10. Practically speaking, you have the ultimate authority over changing and interpreting the provisions of the sisters' constitutions.

11. You have heard the confessions of sisters, despite the fact that as Spiritual Father and Founder you enjoy power over them in the external forum.

12. We understand that, in connection with the case of Sr. Mary Cabrini, you issued threats against a brother priest. We further understand that these threats included: (a) instituting a lawsuit against him, (b) driving him out of the mission he serves, (c) setting up a rival mission in his area, (d) publicly denouncing him and (e) seeking to expel him from the organization. Clearly, such threats are unacceptable.

In light of all the above, we request, therefore, that you:

- a. Suspend the program of instituting an interim government for the Daughters of Mary at this point.
- b. Defer for the time being the anticipated perpetual profession.
- c. Lay the question of the Constitutions, spirit and apostolate of the Daughters of Mary before all the priests.

We believe that the foregoing requests are neither drastic nor unreasonable. The sudden confluence of events in recent weeks required that we bring these concerns to the fore without delay.

With assurances of prayers for you and the sisters, we remain,

Fraternally in Christ,

Anthony C. ...
Joseph F. Collins
Daniel B. Ahern

The situation came to a head in July 1989. Fr. Kelly summarily purged one of the founding sisters (the blood sister of another priest colleague) who had become disenchanted with the direction the Daughters of Mary was taking. Conflicts like this were common in the founding of many women's religious orders in the U.S; the sisters who departed would usually go off to found another order, perhaps with the help of another priest, and that would be the end of the story.

But since he *was* running a cult, Fr. Kelly insisted that **no** other priest would have the right to take in the former Round Top sister or allow her to continue religious life, and then, as is typical with the leaders of such organizations, threatened lawsuits, public denunciations and general ruin against anyone who would cross him.

By this time, Fr. Dolan and I were fed up with Fr. Kelly's threats, duplicity and cult-building tactics – this was the stuff of the Rajneeshpuram cult and Scientology – so we resigned from SSPV. We wouldn't be the last priests to do so.

The Original Motives for the Penalty

Here we come to the original motives for the penalty that SSPV has been inflicting on the laity for thirty years now.

It started with revenge. Like the Bhagwan Rajneesh and L. Ron Hubbard, Fr. Kelly began a campaign of scorched earth destruction aimed at opponents of his cult. The former Round Top sister and those who supported her had to be destroyed, discredited or intimidated into silence.

In August 1989, therefore, Fr. Kelly announced it would be a **“mortal sin” for a priest to give Holy Communion to the sister who had left.** Not only that, but St. Gertrude the Great **parishioners who merely received Communion from any priest who did** – i.e. Fr. Dolan and me – **would also then be committing “mortal sin”** by being “in communion with” the “mortal sin” of the sister who had left.

From the perspective of canon law and Catholic moral theology, this declaration was pure fantasy – every bit of it.

For starters, the the law of the Church allows a Catholic to receive a sacrament from even an *excommunicated* priest “for any just cause” (canon 2261). Moreover:

1. The Daughters of Mary was nothing more than a Fr. Kelly creation, so no traditional Catholic was obliged to recognize its existence or defer to the rulings of its fearless leader “under pain of mortal sin.”
2. Any vows in the organization were “private” – the canonical equivalent of a layman’s no-pizza vow – and no layman or priest was obliged to treat them otherwise.
3. Any confessor can dispense from such vows with a sufficient reason.
4. The sister who blew the whistle on Round Top had just as much canonical “right” to found her own religious order as Fr. Kelly did.
5. In any case, mortal sins (especially invented ones) can’t be picked up from others at the communion rail like so many spiritual cooties.

Lay people, of course, wouldn’t know that the Kelly-created notion of “contagious mortal sin” – nothing more than guilt by association, in fact – was complete nonsense. But the right combination of emotional appeals and demagoguery could probably get a good number of gullible laymen to believe in – and most importantly, to *fear* – the imaginary spiritual cooties.

Enter Fr. William Jenkins. Fr. Dolan had invited him to Cincinnati in 1984 to be Principal of the St. Gertrude the Great parish school. For Fr. Jenkins the promulgation of the Kelly Cooties Rule was like catnip. He immediately jumped on the “mortal sin” bandwagon.

His motive was all too obvious. Ever since his arrival in Cincinnati, Fr. Jenkins had resented Fr. Dolan’s insistence that all aspects of the school operation be completely integrated into the rich and long-established liturgical life of the parish. Telling laypeople that they would commit *mortal sin*

by assisting at Mass at St. Gertrude's would give Fr. Jenkins the righteous-sounding pretext he needed to take full control of the parish school for himself, and to open an independent Mass center in Cincinnati. (He already had quite a nice church of his own in Cleveland.)

Like Fr. Kelly, Fr. Jenkins employed an array of classic cult manipulation techniques: long, rambling sermons and speeches (obviously unprepared) delivered in his trance-inducing *basso profundo* voice; public complaints about his supposed health problems that aimed at winning pity and sympathy; late-night phone calls to check up on the loyalty of supporters; heavy doses of empty bluster and indignation ("Can you *imagine*? Can you *really* imagine?"); not-so-subtle appeals for pats on the head ("I'll leave the school if the people want me to!" "Oh, no, Father, please, *not that!*"), and habitual late starts for Masses and other public activities (because poor Father is just *so* busy or *so* sick).

(Those who have seen Fr. Jenkins in action even recently will recognize that his methods have not changed.)

Fr. Jenkins' local campaign succeeded to the extent that he was soon able to establish a Mass center of his own and eventually, a church in Cincinnati, Immaculate Conception, Norwood.

Thus the original motives of those who created the SSPV Spiritual Cootie Rule: For Fr. Kelly, it was scorched earth revenge against challenges to his cult; for Fr. Jenkins, it was simple and base clerical ambition.

If you think my assessment is severe, it is nothing compared to the pain, the division and the heartbreak that the revenge and ambition of these two men have inflicted on traditional Catholic families for thirty years.

The CMRI Group

The foregoing brings us to the end of 1989. Not everyone in Cincinnati or its missions bought the original Kelly-Jenkins "mortal sin" accusation. Frs. Kelly and Jenkins then needed to invent *other* mortal sins in hopes of getting people to avoid

us.

In December 1989, some laymen from Columbus who had been affiliated with the traditionalist CMRI (or Mount St. Michael) group in Spokane, Washington, approached Fr. Dolan and me, and asked if we would give them sacraments. In the Fr. Kelly universe, to do so was absolutely forbidden – yet another mortal sin, because, Father claimed, those affiliated with CMRI must be considered “Old Catholics” (i.e., descendants of a 19th century schismatic group).

But having seen Father simply make stuff up earlier that year, I decided to research the historical, canonical and moral issues myself. Here, too, I discovered Fr. Kelly was spouting nonsense. There was **no** principle in the Church’s canon law, sacramental theology or moral theology that could justify either calling these people “Old Catholics” or refusing them the sacraments. So we treated the CMRI laity like the Catholics they were, who according to canon 853, **“may and must [*potest et debet*] be admitted to Holy Communion.”**

The Cootie Patrol went crazy: receiving sacraments from traditional Catholic priests who were “in communion with” CMRI? Yet *another* mortal sin for Catholics who frequented our communion rails!

(If you really think this particular cootie is anything more than imaginary, you can watch Fr. Jenkins flounder to defend its existence in a 2002 public debate with me; references to the documentation from moral theologians and canonists that I cited in the debate and passed out to those attending may be found in my article “The Great Excommunicator.” The impressive-looking portfolio Fr. Jenkins brought with him, I noted, contained only blank sheets of paper.)

Abp. Thuc’s Consecrations

Anyone who knows a bit about the history of the traditionalist movement usually knows that in the 1980s, I was skeptical about validity of the episcopal consecrations that Abp. Pierre-Martin Ngô-dinh-Thuc conferred in 1981.

But in Catholic sacramental theology, personal doubts must give way to objective principles, and emotional prejudices must give way to verifiable facts interpreted according to those principles.

By mid-1990, I therefore saw no problem working with properly-trained traditional Catholic clergy who derived their orders from Abp. Thuc.

But for Frs. Kelly and Jenkins, this represented yet another “mortal sin” to add to the list for each layman who approached my communion rail – Fr. Cekada was “in communion with invalid Thuc clergy.” So at this point, you were incurring *three* mortal sins per trip.

The cootie count was mounting!

“Scandalous Associations!”

Toward the end of 1990 and the beginning of 1991, it was gradually becoming obvious to my former priest-colleagues in SSPV and to many members of the laity that the Kelly-Jenkins arguments against the *validity* of the Thuc consecrations were worthless.

To head this off, Frs. Kelly and Jenkins tried to summon up yet *another* cootie: Abp. Thuc’s “scandalous associations.” If the archbishop did something imprudent, wicked or even merely questionable back in the 1970s or ’80s, that deed became another spiritual cootie which automatically crawled onto you at the St. Gertrude the Great communion rail in the 1990s (or in 2019, for that matter).

So now the count was *four* mortal sins per trip. You were “in communion with” sacrilegious vows, Old Catholic schismatics, invalid clergy and scandalous deeds. Quite a load! And if one of the few remaining SSPV Fathers spotted the cootie when you went to one of *their* chapels, no communion, no absolution, and no godfathering the nephews or nieces at baptisms for you, buster!

Bishop Alfred Mendez

Frs. Kelly and Jenkins’ attempt to sell *this* idea – “scanda-

lous deeds” – would turn out to be pure and near-comical hypocrisy. By mid-1990, the Fathers were already in the process of getting their group deeply involved with Bp. Alfred Mendez, a worldly, retired Novus Ordo bishop, who was a teeming hive of scandalous associations himself. Bp. Mendez would secretly ordain two priests for SSPV in September, 1990, and then secretly consecrate Fr. Kelly a bishop in September, 1993.

Just about everything that Frs. Kelly and Jenkins had been denouncing as “scandalous” in Abp. Thuc, their *own* Bp. Mendez was actually guilty of – and much, much worse.

So when Fr. Kelly’s secret consecration was revealed in 1995, I assembled a lengthy list of what Bp. Mendez had been up to. He had advocated nuns’ liberation, the leftist Cursillo movement, “lay ministry,” ordaining married men permanent deacons, combining all traditionalist groups into one giant entity under John Paul II, and a married priesthood. He celebrated the Novus Ordo publicly; raised money for the near-atheist Notre Dame University and constantly boasted of his many worldly connections (e.g., Hollywood and Las Vegas).

In July 1992, a year before he consecrated Fr. Kelly, Bp. Mendez spent three days with an old-time traditionalist couple in the Midwest. Having heard that the prelate was somehow a traditionalist, they were shocked by his odd behavior, and indeed, the liturgical abuses he perpetrated when he celebrated a supposedly “traditional” Mass for them. Bp. Mendez told them that the Church “has too much doctrine,” that doctrine “is not so important,” and that he went on cruises to serve as a chaplain “for all denominations.” His host summed up his impression of Bp. Mendez, then 84, this way:

I am in fear that the Bishop would not have the right intent mentally if he were to consecrate a priest [to be] a bishop today. There is not a traditional bone in his body. He is 100% liberal Novus Ordo. He is equal with my spiritually dead children who adore the world and all the evil in it.

My purpose for compiling the depressing list was not to run down an old bishop: the whole Novus Ordo episcopate, after all, hit the skids after Vatican II. It was simply to show people in the SSPV orbit that Frs. Kelly and Jenkins' principles were false because *they themselves did not follow them*.

But the real clincher for the Mendez affair was this: Whenever Frs. Kelly and Jenkins solemnly recited Abp. Thuc's "scandalous associations," the cherry on top was inevitably their accusation that, in the 1970s, the archbishop consecrated to the episcopacy one Jean Laborie, supposedly "a known homosexual." You were supposed to gasp and shake your head when the phrase was uttered. Fr. Kelly repeated it at least *seven* times in his book length anti-Thuc tirade, *The Sacred and the Profane*.

But Bp. Mendez, it turned out, *had done the same thing* in 1967, when he consecrated Miguel Rodriguez to be his hand-picked successor as Bishop of Arecibo, Puerto Rico. Bp. Rodriguez – his nickname was "Lili" – treated the young clergy of his diocese "like a harem," and many of them emigrated to Miami, where they would wind up as major figures in the Novus Ordo sex abuse scandals. His conduct was so outrageous that the Novus Ordo Vatican removed him and sent him to a monastery.

So if "scandalous associations" are indeed spiritual cooties, Bp. Kelly, Fr. Jenkins and anyone affiliated with SSPV are positively covered with them. A cootie for the goose is a cootie for the gander, right?

But fortunately for poor sinners, as well as goofy bishops, canon law and Catholic moral theology simply don't work that way. When it comes to conferring or receiving sacraments, the good Fathers and their lay followers are really no more "tainted" by *their* old bishop's thirty-year-old mistakes than I am by Abp. Thuc's.

Which is to say, not "tainted" at all. So for Bp. Kelly, Fr. Jenkins and their followers to continue to pretend otherwise is hypocrisy.

And My Fellow Priests?

At this point in the story, one might ask how the Kelly-Jenkins cooties campaign played with the rest of the priests who remained in SSPV? Initially, some priests bought into or silently tolerated it. But one by one, they started to realize that Fr. Kelly's confidently asserted claims about mortal sin, communion with schismatics, doubtful sacraments and "scandalous associations" had nothing to do with canon law and everything to do with manipulation.

Thus, Frs. Sanborn, Collins, Zapp, McMahon and Ahern all eventually voted with their feet against these crazy policies, and followed Fr. Dolan and me out of the Society of St. Pius V. All admitted CMRI laity to Holy Communion and all recognized the validity of the Thuc consecrations. Of the eleven original priest-members of SSPV, this left only Frs. Kelly, Jenkins, Mroczka and Skierka, whose sister was a Round Top nun.

But eventually even Fr. Jenkins would feel Fr. Kelly's wrath over the Round Top nuns. Fr. Jenkins had installed a group of them to teach at the school attached to his rival church, Immaculate Conception in Norwood. Fr. Jenkins got into a tiff with them by insisting they follow *his* policies. The nuns resisted, and Fr. Kelly pulled them out of the school in the middle of the academic year.

And though Fr. Jenkins still firmly adheres to the Spiritual Cooties Rule, it is difficult not to think that Fr. Kelly has put him, too, on more or less permanent punishment for crossing the nuns. Since the 1995 announcement of Bp. Kelly's episcopal consecration, he or his successor, Bp. Santay, have visited Fr. Jenkins' church for confirmations only twice that I've ever heard of – that's twice in *twenty-four* years.

In Communion... But with Whom?

The attention that SSPV paid to sniffing out fictional "communion" with these various perceived boogeymen also blin-

ded its clergy and followers to the *one* type of communion that canon law and Catholic moral theology *does* condemn: communion with heretics or schismatics, or actively assisting at Mass where their names are put into the Canon or other liturgical prayers.

But for SSPV, as long as you observed the Cooties Prime Directive and *refused communion to St. Gertrude the Great or Most Holy Trinity types*, how you answered questions like the following never really mattered:

- *Is the Holy See vacant?* Nothing more than “matter of opinion.” No big deal one way or the other. You can’t be “dogmatic” about it.
- *Assisting at Masses where Bergoglio’s name is put into the Canon?* No real problem, even though inserting the name is “disgusting,” and “I would not do it myself.”
- *Attending SSPX Masses, even though they’re virtually part of the Conciliar Church?* OK if there seems to be nothing else around.
- *Going to SSPX to receive confirmation from one of their bishops?* No problem. Your choice.
- *An SSPV gal getting married at a traditional Mass in a Novus Ordo parish?* OK if an old Novus Ordo priest performs the ceremony, and it would avoid objections from the guy’s conservative, non-traditionalist relatives.

On these issues and others, Frs. Kelly, Jenkins and their followers are still stuck back in the early 1980s. This is because nearly all the sedevacantist authors who produced serious, well-researched studies on the great questions that traditional Catholics face today concerning dogmatic theology, ecclesiology, canon law, sacramental theology, the Vatican II popes, the Novus Ordo sacraments, and the Society of St. Pius X – whether Bp. Donald Sanborn, the Institute of the Mother of Good Counsel Fathers, the writers on *Novus Ordo Watch*, the CMRI priests or myself – whatever diffe-

rences they may have on *other* points, nevertheless reject the principles behind the Cootie Rule as absurd and non-Catholic.

For SSPV to follow the lead these authors have given on *other* issues would necessarily imply that the same authors could be correct in universally rejecting the Cooties Rule, too – and you couldn't have *that*, could you? Better your brain should be like a fly in amber.

And as regards SSPV clergy engaging in serious theological research and writing coherent studies of their own on the big issues, I've never seen any at all. The most you seem to get are droning videos from Fr. Jenkins with no theological meat and plenty of indignation. Their actual content can usually be summed up in two paragraphs.

Moreover, just as a few liberal escape valves relieve cult pressures for those *within* the Daughters of Mary, so too, a few of these for the *laity* (on the pope, SSPX Masses or your children getting married at an Indult Mass) can relieve the pressure that *they* feel because of the Cooties Rule.

Locally in the Cincinnati area, Fr. Jenkins for years studiously avoided educating his parishioners on sedevacantism and the pope question, even dissembling to some that “we are not really sedevacantists.” I've seen the effects in young people I've encountered from his parish; some had no idea about what sedevacantism was, or why the pope issue was important for a Catholic. Recently, I've heard about young people who graduated from Fr. Jenkins' school but regularly frequent the local “traditional Mass” sponsored by the Novus Ordo Archdiocese. And why not, if the pope question is not even important enough to talk about?

There is also no doubt in my mind that Frs. Kelly and Jenkins' practical indifference to the pope question is tied to their involvement with Bp. Mendez. The man was up to his eyeballs in the Novus Ordo religion. If you can justify getting yourself consecrated *a bishop* by someone like that and hold him out as a proper Catholic, you can hardly forbid your parishioners to avoid that bishop's Novus Ordo co-religionists.

Lay Attitudes towards the Penalties

Over the past thirty years, I've had ample opportunity to form my impressions about the attitudes that lay Catholics in SSPV circles have towards the Cooties Rule.

On one end of the spectrum, many SSPV lay followers may be unaware of its existence, or live in places where it will have no practical effect on them.

Others know of the rule, but routinely and rightly ignore it as absurd. They may assist at SSPV Masses either regularly or only occasionally, but they have no hesitation to confess to or assist at the Masses of "tainted" clergy like yours truly and his colleagues. But for some lay people like this, I am told, Fr. Jenkins looks the other way and makes what is dryly referred to as a "net worth exception."

On the opposite end of the spectrum is a core of true believers and cult followers. They have been snookered into believing that the imaginary beasts actually exist in canon law and moral theology; they are quite pleased to tell you how thankful they are that they are "not as the rest of men." Or they've found it convenient to sign on to the exclusionary program because relatives they weren't particularly fond of anyway wound up on the other side of the dividing line, consigned to the cootie corral.

But there are many souls among the SSPV laity, especially in their 40s and upwards, who occupy a middle ground, and who in their hearts believe the Cooties Rule is nonsense, or even brutal and cruel. They observe it not out of any conviction, but merely out of a certain deference or gratitude to Bp. Kelly, Fr. Jenkins or other SSPV clergy. They have relatives, friends or acquaintances on the other side of the fence, or personally know or admire some or all of the "contaminated" priests; they know that all these people are faithful traditional Catholics, and that there is no rational grounds for imposing or observing the penalty.

But they probably feel that just quietly going along with the Cooties Rule themselves is a bit like humoring an old uncle who's got one or two really crazy ideas.

As for Millennials in SSPV circles, they follow the Cooties Rule only because it is a “given” in their social matrix. Mom and Dad, even if they think the rule is nutty, expect you to follow it so you don’t make waves and disappoint the old uncle, who might then take you aside, slowly shake his head, and intone, “You know, [*sniff*] I’m so, *so* disappointed in you...” Aaaww...

But a principle of action for an intelligent young traditional Catholic’s religious practice these days must be based on more than social pressure, avuncular pity trips, and a rationale founded on contagious guilt by association with fifty-year-old “scandals.”

So, interaction with traditional Catholic peers who would be denied sacraments under the Cootie Rule will inevitably cause SSPV Millennials to question it, and the widespread availability of information on the Internet will lead many of them to abandon it entirely.

For once you understand what actually *motivated* the Cootie Rule in 1989 – the all-too-human faults of revenge and ambition – and that it contradicts the fundamental principles of Catholic moral theology and canon law that we traditional Catholic profess to defend, you will ignore it yourself, and refuse to pass such a cruel, divisive and unnecessary burden to the next generation.

The Future of the Cooties Rule

After thirty years, a new dynamic is at work in SSPV circles. The original organization is now merely a shell: only four of the original priest-members remain, joined later by two priests that Bp. Mendez ordained for it in 1990. SSPV will eventually be replaced by the CSPV – the Congregation of St. Pius V – an organization that Bp. Kelly founded after his consecration that would be subject solely to *him*.

SSPV and CSPV will no doubt keep the Spiritual Cooties Rule firmly in place until both Bp. Kelly and Fr. Jenkins are dead. Neither man would tolerate abolishing it. So, out of deference, organizational loyalty and a general desire not to

rock the boat, none of the younger clergy in the Kelly-Jenkins orbit, I think, would dare to suggest a change, even though some of them by now may have come to question the policy.

On the basis of a conversation with Fr. Kelly more than thirty years ago, however, I suspect he might have anticipated such a possibility by now and tried to prevent it. One day, he told me that if he ever founded a religious congregation for men, he would look for a way to enforce obedience explicitly under pain of mortal sin, either by a vow or by an oath. More vintage Kelly “guilt and fear,” of course.

In the matter at hand, what better way to perpetuate the sacred Spiritual Cooties Rule than to tell gullible young men they must take a vow or swear an oath to enforce it, and that they will then be forever bound to do “under pain of mortal sin”?

But in fact, this would merely be more empty, Wizard-like thunder and fulmination. A supposedly mortal sin-producing vow or oath like this would be invalid and not morally binding for a whole host of reasons. One is that **the object of such a vow or oath** – the refusal of the Eucharist to someone who had a right to it under both canon law and divine law – **is evil**. A vow or oath directed to this evil end **would have no power to bind** from its inception.

And in any case, no traditional Catholic priest or bishop has the right to bind someone to obedience under pain of sin as Fr. Kelly wished to do – neither priest nor nun nor member of the laity. Power like that belongs only to duly constituted ecclesiastical authority.

Nor could whatever *other* vows one takes in CSPV be bootstrapped into achieving this purpose. The object of such a command would be evil, and a priest would be obliged to disobey such a command. And in the long run, moreover, vows in CSPV have the exactly same status as we outlined above for the Daughters of Mary: they are mere private vows which, like a vow to give up pizza, can be dispensed by any confessor for a sufficient reason.

Despite initial obstacles, however, I am confident that the

Cooties Rule will be dropped one day. The process may begin in much the same way that I came to change my assessments of the Mount St. Michael group and the Thuc consecrations.

Some young cleric in the CSPV may come to suspect that the certitudes Bp. Kelly has firmly declared to be founded on Catholic moral theology and canon law may not really be *all* that certain. Or he may be initially convinced that Bp. Kelly's position is correct, and want to refute the arguments of, say, the infamous and thoroughly wicked Fr. Anthony Cekada.

In either case, if the young man's Latin is good, he may decide to compare Bp. Kelly's claims or my own with the teachings of pre-Vatican II theologians and canonists. And then, in some seminary or university library, he will eventually discover, just as I did in the 1980s, that the grand principles Clarence Kelly enunciated to accuse people of mortal sin, declare episcopal consecrations doubtful and refuse thousands and thousands of Catholics the sacraments were nothing more than his own inventions, and had no foundation whatsoever in Catholic moral theology or canon law.

Something like this, believe me, will happen one day, simply because the whole, great edifice of Catholic theology and canon law will always be there, along with the tools to understand it, for those priests who are truly determined to do so.

Having discovered the truth, the young man and his fellow clerics will then face a choice: continue to recycle theological myths invented by a "venerated founder" (as SSPX does), or discard what they now know is false, and conform their practice to the dictates of canon law and Catholic moral theology.

For Catholic priests who profess fidelity to the traditions, teachings and laws of the true Church – on this question or any other – it must always be the latter.

If for the good of souls this means a public climbdown by CSPV one day from some Fr. Kelly-generated myth, well so be it. There are a lot of priests who will have proceeded them – Bp. Donald Sanborn, Bp. Daniel Dolan, Fr. Anthony Ceka-

da, Fr. Joseph Collins, Fr. Eugene Berry, Fr. Thomas Zapp, Fr. Denis McMahon and Fr. Daniel Ahern.

For many of us, eschewing the Cooties Rule and other Fr. Kelly myths has allowed us to assist or cooperate with a whole network of sedevacantist clergy throughout the world – America, Canada, Mexico, Brazil, Argentina, England, France, Belgium, Italy, Germany, Austria, Hungary, Poland, Ukraine, Australia and Nigeria.

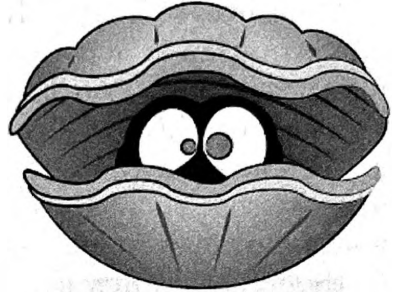
There is no shame in a priest or a professedly Catholic organization undertaking a change of course if it is dictated for serious reasons, whether based on the needs of the Church or even (and especially) the principles of Catholic theology or canon law. This is seen in the history of many pre-Vatican II religious orders, and indeed, even in the history of the CMRI, which was the object of so much of Fr. Kelly's wrath.

So I, and many others, clerical and lay, hope that a future generation of clergy will have the common sense and the courage to act on what the rest of us have often painfully learned over the years – and that SSPV's thirty-year-old Spiritual Cooties Rule and the sacramental penalties it imposes on faithful Catholics will, at age forty, no longer see the light of day.

THE REMNANT'S LATEST: THE BLATHERING OF THE CLAMS

Rev. Anthony Cekada
September 16, 2019

Recently I received a letter urging traditional Catholics to circulate a video produced by the R&R publication *The Remnant*, and calling for the Society of St. Pius X (SSPX) and the Fraternity of St. Peter (FSSP) to “unite in battle against our true enemy, the Modernists.”



In the video, “Mission Impossible: Unite the SSPX and FSSP Clans,” *Remnant* editor Michael Matt treats viewers to potted histories and fawning portraits of Archbishop Marcel Lefebvre, SSPX and FSSP. His is a whining, emotional appeal, entirely divorced from any discernible theological principle. We (all trads, but especially SSPX-ers and FSSP-ers) are all “brothers” because we go to the Latin Mass. Why, oh why, can’t we “just get along” to fight “the enemy.”

I addressed just this question in a 2008 sermon, “Why Can’t We All Just Get Along?” – because of **Catholic doctrine**, especially Catholic doctrine **on the authority of the Roman Pontiff**, which R&R outfits like *The Remnant* and SSPX have rejected both in theory and in practice. Moreover, the Church teaches that **the principle for unity** among Catholics is **submission to the Roman Pontiff**, who exercises authority from Christ to proclaim and protect the truths of the faith.

A Clueless Analogy

Mr. Matt, however, proposes *another* principle for unity with a truly wacky analogy, based on a scene in the Mel Gibson movie *Braveheart* (though fortunately not the most infamous

one...). The William Wallace character, played by Mr. Gibson, knows that the English can only be defeated by uniting the warring Scottish clans and that he can't do this on his own. So (as Mr. Matt puts it), "he appealed to a higher authority... the highest ranking noble, Robert the Bruce," to "unite the clans."

"In our case," says Mr. Matt, drawing his analogy, "*the old faith* itself is Robert the Bruce. The old faith, that's what we appeal to. *The faith can unite the clans.*"

The block-headed cluelessness of such a statement leaves you wondering whether Mr. Matt *intentionally* ignored the analogy that should be obvious to any Catholic: *the pope* – if you claim you have one – is the highest ranking authority for Catholics, and unity can only come from submission to him.

But no, in Mr. Matt's R&R world, the *pope* is not the "higher authority." Instead, it is "tradition" or "the faith," either as interpreted by Mr. Matt and R&R bloggers, or in the case of SSPX-ers, "The Position of the Society as Substitute Magisterium." For all these, it is truly a case of "The Pope Speaks: YOU Decide!"

More of the Same!

In addition to this fundamental error, the Matt video is yet another installment in the unending series of whiney, pointless, wild goose chases that *The Remnant* has been trying to launch since its foundation in the 1960s. None of them – not one – has had the slightest effect in slowing down the Vatican II juggernaut. So while Mr. Matt may present his latest public emotional jag as a passionate appeal for a "gathering of the clans," it's nothing more than the usual "blathering of the clams," the main ingredient of *The Remnant's* peculiar theological chowder.

And as for "uniting" SSPX and FSSP, these organizations are **already** united in their communion with the apostate/false pope Bergoglio, and with the false church of Vatican II.

SSPX and FSSP are not "battling" the modernists, both groups have in fact **surrendered** to them. Their members

are all sold men.

Put 'em in a bag, shake 'em up, and they all come out the same.

This is so because the Matts, the R&R camp, SSPX-ers, FSSP-ers and others like them have promoted the poisonous theological error and the sinful moral principle that a Catholic is free to “recognize” someone as the Vicar of Jesus Christ on Earth, but “resist” him by ignoring, denouncing or mocking his teachings, his laws, his liturgical ordinances and his commands. This error and sinful moral principle utterly overthrows the whole edifice of Catholic teaching on submission to the Roman Pontiff as *necessary for salvation*.

Helping Build the One-World Church

Both SSPX and FSSP, moreover, are in the process of providing Bergoglio with **exactly** what he wants, and what the forces of anti-Christ have wanted for centuries: a one-world religion that unites every type of religious practice (Latin Masses, Pentecostalism, guitar Masses, lady Lutheran bishops, worship-the-earth environmentalism, Indian peace-pipe rituals, Brazilian paganism, etc.) into one, big, happy dogma-free organization that recognizes **no** absolute truth.

In this system, the pope has no true authority, whether doctrinal or disciplinary, over *anyone*. If he makes a pronouncement or promulgates a law, you're free to heed or disregard it as you see fit in terms of your own criteria for judgement – “tradition,” if you're an SSPX-er; the “Bible,” if you're a Pentecostalist; or “cultural conditioning,” if you're a feminist theologian.

I understand the emotional appeal of the Rodney King, why-can't-we-all-just-get-along trick that Mr. Matt is trying to pull.

Don't fall for it. Mr. Matt's clam chowder is just a new recipe on Bergoglio's menu for a One-World Church.

TALKING SEDEVACANTISM WITH AN SSPX LAY KAHUNA

Rev. Anthony Cekada

October 9, 2019

Father: Even though I've figured out that sedevacantism is the only possible theological explanation for Bergoglio and the whole Vatican II mess, I still have a lot of friends and acquaintances in SSPX circles. Word of my change of position has gotten around, so the topic now comes up in conversations. Lay SSPX-ers agree with my arguments... up to a point. Their priests respond like they are brain dead, and either have no answer at all or tell me to read the Salza-Siscoe book.

Recently, though, a layman who is a respected major player in the SSPX empire invited me over to talk with him about sedevacantism. He's an intelligent guy, and probably hopes to "convert" me back to R&R from the "errors" of sedevacantism. Any ideas about how to handle him?

Look on it as an opportunity to get him thinking about some of the unquestioned "givens" the Society has handed him about "evil, schismatic, proud" sedevacantism.

Like the SSPX priest, your friend also probably told you to read the Salza-Siscoe book, which is like Ambien in print. Zzzzz. Instead of sending him links to "Dead on Arrival" and "A Dignified Burial," my two videos refuting the book's arguments, I'd recommend you point him to a big wave coming from another direction.

I. Abp. Lefebvre in *Favor* of Sedevacantism?

For any SSPX kahuna, clerical or lay, *the* gold standard for explaining the state of the Church after Vatican II is supposedly "the position of Archbishop Lefebvre," as if this were some great body of fixed and consistent teaching – which, of course, it was not.

But since the *notion* of Lefebvre's supposed authority casts

such a long shadow in SSPX-land, you should meet your friend's suggestion that you read the Salza-Siscoe book with *another* suggestion to him: that he take a close look at the material found at these two links:

- **Marcel Lefebvre: Sedevacantist**
- **Pro-Sedevacantism Quotes from Abp. Lefebvre**

Chances are, the lay kahuna will run this rather surprising information by an SSPX priest, perhaps even the District Kahuna himself. These priests – unlike me – did not know Abp. Lefebvre personally or hear him say these things, and they will not have a convincing way to explain them away for your friend.

So, an intelligent and reasonable man, having been told for ages that “the archbishop’s thinking” on Vatican II mess was nearly divine revelation, may indeed rightly begin to question the SSPX party line that sedevacantism is “schismatic.”

How *could* it be, if the the Iron Bishop himself so repeatedly spoke in favor of it?

II. The *Real* Problem: A Defecting Church

But serving up Abp. Lefebvre’s pro-sede statements is just a little hors d’oeuvre.

The essential argument against R&R and for sedevacantism is based upon ironclad principles of Catholic (i.e. pre-Vatican II) dogmatic theology concerning the indefectibility and infallibility of the *Church* – *n.b.* not just the infallibility of Roman Pontiff alone in rare *ex cathedra* pronouncements. I have provided a summary and application of the teaching in “Resisting the Pope, Sedevacantism and Frankenchurch,” and again in Section I of “Sedevacantism: A Quick Primer.”

The logical corner to force intelligent SSPX-ers like your lay friend into is the **defecting Church**.

- 1) If Vatican II is error and the new laws are evil – as SSPX and R&R firmly insist – and at the same time, and the men who promulgated them somehow still had authority from Christ, **the Church herself has defected**, and **Christ's promises have failed** – especially, “I am with you always.”
- 2) But faith tells us this is impossible.
- 3) The only alternate solution consonant with the Church's infallibility and indefectibility is that the men who promulgated these errors and evils **never received authority from Christ in the first place**; *they* defected – not the Church herself – and became incapable of being validly elected popes or of receiving authority from Jesus Christ.
- 4) The judgement that the changes were errors and evils is thus implicitly a judgment that those who promulgated them had no authority.

In other words, **the errors and evils of the officially-approved changes is the smoking gun** which leads to an unassailable and ironclad verdict: No authority, fake popes.

III. Wait for the Lame Excuses...

Your friend will probably have heard the standard objections that SSPX has employed to get around this argument, and may repeat them to you:

- Where would we get a true pope, then?
- Vatican II is not universal ordinary magisterium because it is not in accord with previous “tradition,” so we're not bound by it.
- The pope is like a bad dad whom we can disobey.

All these have been answered over the years, and answered in spades:

(1) Not having absolute certitude *how* to get a pope **does not make a heretic a true pope by default** OR solve your

defecting Church problem.

(2) **ALL the bishops** came home from the Vatican II and, in union with the Vatican II popes, taught the Council's doctrines, which **John Paul II then duly enshrined and imposed as obligatory in his universal catechism**; so, if you believe the V2 popes are true popes, **Vatican II is universal ordinary magisterium**.

(3) The SSPX argument that universal ordinary magisterium, to be such and to be binding, must first be "in accord with tradition":

- a. Erroneously turns a *consequence* into a *condition*. In fact, a teaching is "in accord with tradition" and infallible *because* a true pope and his bishops universally teach it – that's how Christ's promise works – not because you, Mr. Layman or Father SSPX, have checked out the hierarchy's pronouncement and decided that it is consistent with "tradition."
- b. Was an argument of the anti-infallibilist "Old Catholic" party that was rejected by Vatican I.

(4) A bad dad's authority is paternal, domestic, private and expressed in particular **commands**, whereas a pope's authority is jurisdictional, universal, public and exercised through **universal disciplinary laws**, which are infallible. Sorry, there are *no* common points, making this old analogy particularly bone-headed and silly.

There are other equally worthless evasions that have likewise been answered again and again.

* * * * *

Your lay friend should have no difficulty understanding the argument: once you say that the officially-approved changes in doctrine and discipline are errors and are evil, you are logically stuck with one of two explanations: the Church has defected, or the individual or individuals who imposed them

have defected.

Sedevacantists like Bp. Daniel Dolan, Bp. Donald Sanborn and myself have been making this same argument for decades, and no one – not Michael Davies, not *The Remnant*, not SSPX, not its SS shock troops, not anyone on the R&R side – has been able to come up with a convincing refutation for it based on the principles of pre-Vatican II dogmatic theology.

If the doctrinal, disciplinary and liturgical changes are error-ridden, evil and sacrilegious, the papacy of the Vatican II popes is toast. It is a straight-line argument to that inexorable conclusion.

Your lay friend may indeed be comfortably basking in the SSPX empire's sunny climate at the moment. But forcing him to think logically about the Church's infallibility and indefectibility may well lead him to say a final *aloha* to the R&R myths, and bid a new one to sedevacantism as his own wave of the future...

Time to catch the wave, kahuna!

THE ITALIAN EDITION OF “WORK OF HUMAN HANDS”

Rev. Anthony Cekada

October 22, 2019

This November 30 marks the 50th anniversary of the Sunday in 1969 that Paul VI designated as the obligatory date for celebrating his New Mass; the following month this year is the tenth anniversary for me completing the manuscript *Work of Human Hands: A Theological Critique of the Mass of Paul VI*.

It took me three decades to finish this book, and I was most gratified when it finally saw the light of day, thanks to the heroic work of its original publishers, John and Rhonda Lynch.

Work of Human Hands received a wide array of positive reviews. Though officially ignored by its author's enemies in the SSPX and R&R camps, the book is now in its third printing and has been a consistent best seller ever since it first appeared.

For the more visually inclined, I produced a series of short, YouTube videos, that sum up some of the principal points in the book. These thirteen videos, as of this publication date, have had an aggregate number of 258,000 views.

Another project for the book is in the works. Over the past two summers, I have recorded the entire book for release on Audible. This will be a great benefit to the thousands who listen to books in their cars or as they work around the house, once the final version is edited.



Today, however, I am pleased to announce that my priest-colleagues at the *Institute Mater Boni Consilii*, Verrua Savoia, Italy, have just published a complete Italian translation through their publication arm, *Sodalitium*.

The following is the English original of my preface to the Italian edition:

* * * * *

As I note in the Preface to the original English edition of *Work of Human Hands*, I conceived of writing the book because I was unable to find, in any language, a work that systematically and comprehensively treated the major theological problems presented by the Mass of Paul VI. I was therefore pleased to hear of the project to translate my book into Italian. For while English may have become a sort of *lingua franca* for matters of commerce and international relations, Italian will always hold its premier place in discussions of the Roman liturgy.

I discovered this almost immediately when I first began my research for this book. The major figures who created the post-Vatican II "reforms" wrote primarily in Italian. This presented a problem for me. As a child, I had always wanted to learn Italian, since my mother, whose family was from Tuscany, spoke the language, but I never had the opportunity.

When I first encountered Bugnini's *The Reform of the Liturgy: 1948-1975* in Italian, and was told by the major liturgical publishing house in the United States that it would never be translated into English because it was too specialized a work, I despaired. But then I resolved to learn to read Italian, so I purchased grammars and dictionaries, and struggled for two years to decipher Bugnini's book and to sum up in English the most important material.

I rejoiced once I finished annotating the last few pages. Two years of struggle completed! Now it would be easy to incorporate into my study all the incriminating information that Bugnini provided.

Shortly thereafter, a colorful and beautifully-printed advertising brochure arrived in the mail: “Now in English: *The Reform of the Liturgy: 1948-1975* by Annibale Bugnini.”

Alas, I would rather have learned Italian from my mother than from Bugnini...

So with the appearance of this Italian edition of *Work of Human Hands*, I offer my condolences to any students of liturgy who undertook a similar project, and “learned English from Cekada”!

I am most grateful to *Sodalitium* and the Institute *Mater Boni Consilii* for their efforts to bring this project to completion. I sincerely hope that this translation will contribute to a fruitful discussion of the difficulties of the liturgical reform wherever your beautiful language is spoken!

* * * * *

Please pass the word along to your Italian-speaking friends and acquaintances.

French speakers may also be interested in *Sodalitium's* edition of *Réflexions sur la Nouvelle Messe* by Père Guérard des Lauriers. Fr. (later Bishop) Guérard was the author of the famous *Ottaviani Intervention*, which I translated into English in the 1990s, and the person to whom I dedicated the first English edition *Work of Human Hands*. Guérard's devastating critique of the first edition of the New Mass in 1969, submitted to Paul VI by Cardinals Ottaviani and Bacci, served as sort of a “charter” for the traditionalist resistance to the liturgical revolution.

PAPA PACHAMAMA'S PROFESSION OF THE MODERNIST HERESY

Rev. Anthony Cekada

November 3, 2019



“All the Gods of the heathens are demons,” says Psalm 95 – but that didn’t stop Jorge Mario Bergoglio from sponsoring pagan idol worship of the Amazonian earth goddess, the Pachamama, in the Vatican gardens on October 4. Nor did it stop him, during the Offertory Procession of a Mass two weeks later, from

smilingly receiving the traditional red-ribboned flower offering to the Pachamama – and instructing his Master of Ceremonies to place it on the High Altar of St. Peter’s, which stands directly over the tomb of St. Peter himself.

Heresy and apostasy, canonists and moral theologians teach, can be committed *dictis vel factis* – not only in words, but also in deeds. And if Bergoglio’s latest deeds aren’t proof that he has totally repudiated the religion revealed by God, the very words heresy and apostasy – and indeed the whole First Commandment – have utterly lost their meaning.

How did it become possible to justify these actions – ones which the martyrs refused to perform under threat of torture and certain death – and all in the very place where St. Peter himself died?

The answer, of course, is Vatican II, which taught that pagan religions are “means of salvation” used by the Holy Ghost. And *this* heresy, in turn, is the product of another: **the modernist meta-heresy of the evolution of dogma.**

So it was perfectly appropriate that, two days after Bergoglio installed the Pachamama offering over St. Peter’s

bones, the Vatican Press Office published a clear and open profession of this heresy in an article entitled “Development of Doctrine is a People that Walks Together.”

Its source (the Vatican’s official news service), the timing of its release (following the controversial Amazon Synod) and topic it treats (a general rationale for sweeping changes in church doctrine and discipline) are meant to signal the article’s importance. It lays the broad theoretical groundwork for the changes Francis intends to introduce in his soon-to-appear post-synodal exhortation, which will implement the resolutions of his rigged synod.

Its contents are a bell that cannot be un-rung, and a nuclear bomb that cannot be un-detonated. It is now forever part of the permanent public record. While the article does not have Francis’ name on the bottom of it (in order to allow neo-con chumps to argue that the blame lies elsewhere), it has his filthy fingerprints and those of his fellow modernist theological thugs all over it. It is his work, his teaching, and theirs – and indeed is posted on the Vatican site under the heading of “Pope Francis” and “Papal Magisterium.”

“People that Walks Together” presents nothing less than the classic modernist argument for dogmatic evolution – the heresy which holds that revealed truths are *not* immutable, but are conditioned by and subject to change in light of men’s evolving “experience” in various ages. This heresy is *everywhere* in the Novus Ordo.

Dogmatic Evolution: A Real Heresy?

Why, one might ask, would such a notion be heretical? It doesn’t *explicitly* deny or call into question individual dogmas, such as Christ’s divinity, the Virgin Birth, or transubstantiation, does it?

The answer is, Oh yes, it does. **Dogmatic evolution denies or calls into doubt every religious truth, because it renders the very idea of a religious truth impossible.** It runs each dogma through the philosophical meat-grinder of relativism, subjectivism, psychology, personal ex-

perience and “historicism,” and turns it into mush. The truth that it expressed (we are made to understand) has been “surpassed,” gotten around, ignored in practice, or emptied of its essential meaning. “We are really beyond that now,” is the common refrain.

Dogmatic evolution, then, is not merely a heresy. It is, as St. Pius X said, the *sewer* of all heresies, and practically speaking, apostasy, because it implicitly denies the possibility of objective truth in *any* dogma.

The modernists camouflage their heresy, here and elsewhere, with the phrase “development of doctrine,” which they lifted from 19th-century Catholic convert and apologist John Henry Newman. But Newman meant one thing – the Church over the centuries acquires a deeper understanding of a fundamental theological truth – while the modernist means entirely another – “experience” can alter the original sense or essence of that truth, even in such a way as to contradict its original and essential meaning.

Those of us who survived modernist seminaries in the 1960s and thereafter saw this heresy in action, and know exactly how it operates. After Vatican II, its adepts sowed its poison in exactly the same way that they did during the times of heresy’s archenemy, St. Pius X – through confusion, obscurity, contradiction, hypocritical lip service to traditional doctrines, pretensions of “returning to the sources,” and a variety of false flags, all of which combined to undermine doctrinal certitude.

Pope Francis: In Your Face

From the moment that Bergoglio stepped out onto the loggia of St. Peter’s on the night of his election, it was obvious to us greyed and balding 60s survivors that, while Wojtyla and Ratzinger camouflaged their adherence to modernism under Marian piety or lace-dripping High Church ritualism, Bergoglio would be in everyone’s face with it. And so he was.

Thus in every news cycle, through press conferences, Wednesday audiences, sermons, off-the-cuff remarks, phone

calls, encyclicals, public gestures, photo ops, Scalfari interviews, calculated omissions, and countless other channels, Bergoglio cast doubt, time and time again, on Catholic dogmas and objective moral principles. The continuing process was all of a piece. His method, and that of his theological homeboys, was not to directly *deny* articles of the divine and Catholic faith (e.g., to deny outright that a sacramental marriage was indissoluble), but rather to cast *doubt* on them (e.g., by instituting and approving a process of post-divorce “discernment” makes the sacramental bond – poof! – disappear.)

Many conservatives and trads in the Novus Ordo institution, while deeply unsettled by Bergoglio’s pronouncements, hesitated (and still do) to characterize his words as heresy, or to call Bergoglio himself as a heretic. What article of the divine and Catholic faith does Pope Francis directly *deny*? the objection goes.

But heresy also consists in casting *doubt* on a dogma – whether through words or deeds, as we have noted – and this is *exactly* the method modernist heretics like Bergoglio use to do their dirty work.

The Latest: Modernism for Dummies

We now turn to the recent Vatican document in order to understand how Bergoglio intends to apply this heresy to implementing the Pachamama Synod.

Instead of the convoluted and purposely obscure prose of the 60s-era theologians, Bergoglio’s “A People that Walks Together” is absolutely clear and open in professing the heresy of dogmatic evolution and in telling us exactly how to apply it – as if the works of Alfred Loisy, George Tyrrell and Hans Küng, had been rewritten by the editors of *USA Today*. It offers a Dick-and-Jane, see-Spot-run modernist apologia that even the thickest and dumbest diocesan bishop could understand and adopt as his talking points to promote the Bergoglian agenda.

The underlying analogy for the article is Bergoglio’s favorite 60s modernist cliché: “journey.” You know how it works.

We're people on a journey, on the move. We're walking together hand-in-hand, going from one destination to another. Where we are *today* is different from where we were *yesterday* and different from where we will be *tomorrow*. We can't just remain in one place. We can't really know where the journey will lead us, but that's how the Holy Spirit (or "the God of Surprises") works. Thus:

Two thousand years of history teach us that the development of doctrine in the Church is a people that journeys together. Journeying through the ages, the Church sees and learns new things, always growing deeper in her understanding of the Faith. During this journey, there are sometimes people who stop along the way, others who run too quickly, and yet others who take a different path.

Why is "the development of doctrine in the Church" a *people*, of all things? Isn't a "people" a collection of individual human beings? And isn't "development" a *process*? How can you claim that a collection of individual human beings *is* a process?

Well, first of all, if you're a modernist, you avoid defining the *essences* of things – too precise and too "old church" that! – and substitute stupid analogies or mystifying jargon after the verb "is." Thus, in response to the question "What is the Church?" you might get something like "Church [*no definite article, please!*] is the living Sacrament of the *pneuma*, the freedom of our freedoms." Got that? Oooh, deep!

But more to the point here, a people can "be" a process because, in the modernist system, religion does not come from *above* (=eternal truths revealed by God), but from *below* (=it coalesces from interior experiences common to the "journeying" people).

Frozen Magisterium! Brrr!

The next bit is a Three Stooges-like double eye-poke, delivered simultaneously to neo-con Ratzinger fans *and* traditionalists of the SSPX, "recognize-and-resist" (R&R) variety:

Benedict XVI: the Church's teaching authority cannot be frozen

In this regard, the words of Benedict XVI – in a letter written in 2009 on the occasion of the remission of the excommunication of the four bishops illicitly consecrated by Archbishop Marcel Lefebvre, the founder of the Society of Saint Pius X – are significant:

The Church's teaching authority cannot be frozen in the year 1962 – this must be quite clear to the Society. But some of those who put themselves forward as great defenders of the Council also need to be reminded that Vatican II embraces the entire doctrinal history of the Church. Anyone who wishes to be obedient to the Council has to accept the faith professed over the centuries, and cannot sever the roots from which the tree draws its life.

So pause a minute, and admire what Bergoglio's number one Chosen Friend Rabbi Abraham Skorka would call the *chutzpah* here. The conservatives' favorite "Rottweiler of Orthodoxy," Ratzinger-Benedict, is quoted back against them, all the better to shepherd them along on the modernists' evolutionary journey, while simultaneously lumping would-be laggards into the same category as excommunicated Lefebvrists. *Zeyer klug*. Very clever...

Then comes a second shot at the "frozen Magisterium."

Drawing together new things and old

Two elements must be considered: not freezing the Magisterium in a given age; and at the same time remaining faithful to Tradition. As Jesus says in the Gospel: "Therefore every scribe who has been trained for the kingdom of heaven is like a householder who brings out of his treasure what is new and what is old" (Mt 13:52). We cannot simply cling to old things, nor can we simply welcome new things, separating them from the old.

"Freezing the Magisterium in a given age." This phrase dismisses in seven short words the notion that dogmatic truths,

the very foundation of our faith as Catholics, must be regarded as immutable because God has revealed them and His infallible Church has taught them. "We cannot simply cling to old things."

And what's the desirable alternative to a *frozen* Magisterium anyway? A *melted* Magisterium? A *fresh and locally sourced* Magisterium? From the looks of this document, it's likely a *free-range* Magisterium that Farmer Frank and his hired hands have kept in fresh fertilizer for decades.

Spirit Good. Letter Bad.

Then we get the old modernist-progressive, near shamanic "spirit vs. letter" incantation. Spirit good! Letter – ugh! – heap bad medicine!

Not stopping at the letter, but allowing oneself to be guided by the Spirit

It is necessary to understand when a development of doctrine is faithful to tradition. The history of the Church teaches us that it is necessary to follow the Spirit, rather than the strict letter. In fact, if one is looking for non-contradiction between texts and documents, they're likely to hit a roadblock. The point of reference is not a written text, but the people who walk together. As we read in the Catechism of the Catholic Church:

"The Christian faith is not a 'religion of the book'. Christianity is the religion of the 'Word' of God, 'not a written and mute word, but incarnate and living'. If the Scriptures are not to remain a dead letter, Christ, the eternal Word of the living God, must, through the Holy Spirit, 'open (our) minds to understand the Scriptures'." (CCC, 108)

These three paragraphs improperly apply what is a *prudential moral* principle (one should not merely act according the letter of the law in one's conduct, but also according its spirit if possible) to *doctrinal* formulations, implying that the latter need not always be understood in the same sense and with same meaning (*in eodem sensu atque eadem sententia*). This principle is an integral feature of the standard modernist

theory on dogma. St. Pius X condemned it in *Pascendi* and, in the anti-Modernist oath, required priests to repudiate it.

Hippity-Hoppity with Pachama Pappity!

Then our journey-walk turns a little more athletic with...

The great leap forward at the Council of Jerusalem, the first Council

If this spiritual and ecclesial viewpoint is lacking, every development will be seen as a demolition of doctrine and the building up of a new church. We should feel great admiration for the early Christians who took part in the Council of Jerusalem in the first century. Although they were Jews, they nonetheless abolished the centuries-old tradition of circumcision. It must have been very traumatic for some of them to make this leap. Fidelity, however, is not an attachment to a particular rule or regulation, but a way of “walking together” as the people of God.

Another phony analogy. Circumcision was a *ritual* law which the new covenant that Our Lord established made void, not an immutable revealed truth to which God expects our assent, and which of its nature *cannot* be abolished – even by people who are “walking together” on a journey (or for that matter, leaping).

And a “great leap forward”? Students of twentieth-century history will recognize that the author has unwittingly employed the title that Chinese Communist dictator Mao Tse-tung gave to his 1958-1962 social “reform” program. This wound up killing 18-56 million people – which, if you’re talking about the spiritual effects of Vatican II, is not an entirely skewed comparison.

Truth Evolves into an Error

The next argument for dogmatic evolution begins with the question: “Do unbaptized babies go to heaven?”

Perhaps the most striking example concerns the salvation of un-

baptized babies. Here we are talking about what is most important for believers: eternal salvation. In the Roman ("Tridentine") Catechism, promulgated by Pope St Pius V in accord with a Decree of the Council of Trent, we read that no other possibility of gaining salvation is left to infants, if Baptism is not imparted to them. And many people will remember what was said in the Catechism of Saint Pius X: "Where do babies who die without Baptism go? Babies who die without Baptism go to Limbo, where there is neither supernatural reward nor penalty; because, having original sin, and only that, they do not merit heaven; but neither do they deserve hell or purgatory."

Note: the article correctly recapitulates the dogmatic teaching: **infants have no other possibility of gaining salvation (=heaven) unless they are baptized.** But since the modernist system is based on the evolution of dogma, there was a...

Development of doctrine from St Pius X to St John Paul II

The Catechism of the Council of Trent was published in 1566; that of St Pius X, in 1912. But the *Catechism of the Catholic Church*, produced under the direction of then-Cardinal Joseph Ratzinger, and approved in 1992 by Pope St John Paul II, says something different: ...

"As regards children who have died without Baptism, the Church can only entrust them to the mercy of God... Indeed, the great mercy of God 'Who desires that all men should be saved' (1 Tim 2:4), and Jesus' tenderness toward children which caused Him to say: 'Let the children come to Me, do not hinder them' (Mk 10:4), allow us to hope that there is a way of salvation for children who have died without Baptism." (CCC, 1261)

So the solution was already in the Gospel, but we did not see it for many centuries.

The argument here, once again, is that a dogma can "evolve" to have a new meaning which is the diametric opposite of its original sense. Thus, we can evolve from the proposition, "Lacking baptism, an unbaptized child cannot go to heaven," to "Well, we can hope that that dogma

is false, because we now realize that the Church misunderstood the Gospel.” This is yet another real twofer: Not only does it get you dogmatic evolution, but it also gets you a **magisterium that can teach the opposite of a truth of revelation.**

Who needs *that*, as I always say, when you can get the same thing in the Episcopal Church, but with great music and no confession?

So Bring on the Deaconettes!

The no-to-yes evolution on unbaptized infants is then the perfect set-up for our tour guide to hint at a much-anticipated possible future stop on our merry peregrinations, and another no-to-yes flip:

The question of women in the history of the Church

The Church has made a great deal of progress on the question of women. The growing awareness of the rights and dignity of women was greeted by Pope John XXIII as a sign of the times. In the First Letter to Timothy, St Paul wrote, “Let a woman learn in silence with all submissiveness. I permit no woman to teach or to have authority over men” (v. 11-12). It was only in 1970’s, during the pontificate of St Paul VI, that women began to teach future priests in the pontifical universities. Yet even here, we had forgotten that it was a woman, St Mary Magdalene, who first proclaimed the Resurrection of Jesus to the Apostles.

Hmm. Here we are meant to conclude that if “growing awareness” and “signs of the times” on the question of women has made it permissible for them to teach in pontifical universities – with the full approval of a pope-saint, and in apparent contradiction of Holy Scripture, no less! – what *other* “teaching” functions might now be open to them? That teaching function of preaching the Gospel, which is entrusted to deacons in virtue of their reception of Holy Orders?

Once you have so firmly and clearly enshrined the modernists’ evolutionary principle, Doris donning a dalmatic is not

such an earth-shaking proposition. It's merely another stop on the ever-ongoing journey!

And an Error Evolves into a Truth

Then comes yet another example of doctrinal evolution, wherein the "signs of the times" transform a teaching that popes in the past condemned as a pernicious *error* into fundamental human right that Vatican II and *its* popes proclaimed as a religious *truth*: Religious liberty.

The truth will set you free

A final example is the recognition of freedom of religion and of conscience, as well as freedom in politics and freedom of expression, by the Magisterium of the post-Conciliar Church. It is a real leap forward from the documents of 19th century popes such as Gregory XVI, who, in the encyclical *Mirari vos*, defined these principles as "most poisonous errors". Looking at this text from a literal point of view, there seems to be a great contradiction, rather than a linear development. But if we read the Gospel more closely, we recall the words of Jesus: "If you continue in my word, you will truly be my disciples, and you will know the truth, and the truth will make you free." (Jn 8:31-32)

The foregoing is another modernist double-whammy: On one hand, the language is a slap at the conservatives who, employing a strained Ratzingerian "hermeneutic of continuity," tried desperately to reconcile the consistent pre-Vatican II papal condemnations of the religious liberty with Vatican II's explicit approval of it. On the other, it's a major blow-off to SSPX, who with its founder Abp. Lefebvre, denounced the Vatican II teaching on religious liberty as a poisonous error, if not an actual heresy.

And as for appealing to Our Lord's words that "the truth will make you free," this He promises only to those who "continue in my word" – hardly possible for the modernist gangsters who undermine that very word by turning the history of His life into mythical fairy stories, denying the reality of His

miracles, effacing His stern condemnations of sin and emptying of meaning His Church's dogmas which authoritatively explain that word.

Aaaw, Poor Baby!

So what is the course of action the modernists recommend to Novus Ordo conservatives, *Summorum Pontificum* trads, and the SSPX/R&R wing of the trad movement? Why love the pope, of course!

The sorrow of the Popes

The saints have always invited us to love the Popes, as a condition for walking together in the Church. Speaking to the priests of the Apostolic Union in 1912, Pope St Pius X, with "the outpouring of a sorrowful heart", said, "It seems incredible, and even painful, that there should be priests to whom this recommendation must be made, but in our days we are unfortunately in this harsh, unhappy condition of having to say to priests: Love the Pope!"

Pope St John Paul II, in the Apostolic Letter *Ecclesia Dei*, noting "with great affliction" the illegitimate episcopal ordinations conferred by Archbishop Lefebvre, recalled that "a notion of Tradition which opposes the universal Magisterium of the Church possessed by the Bishop of Rome and the Body of Bishops" is "especially contradictory". He continued, "It is impossible to remain faithful to the Tradition while breaking the ecclesial bond with him to whom, in the person of the Apostle Peter, Christ Himself entrusted the ministry of unity in His Church."

And Benedict XVI, in a "Letter to the Bishops of the Catholic Church concerning the Remission of the Excommunication of the Four Bishops Consecrated Archbishop Lefebvre" expressed the same sorrow: "I was saddened by the fact that even Catholics who, after all, might have had a better knowledge of the situation, thought they had to attack me with open hostility."

Catholics should not only never be lacking in respect toward the Pope, but should love him as the Vicar of Christ.

Tacked on at the end of an open declaration for the modernist heresy of dogmatic evolution – which overthrows the

teaching of *all* the pre-Vatican II popes – these quotes are rolling-on-the-floor, laughing-my-head-off (at least) punch-lines. They put the boot in not only for conservatives who denounced the left for ignoring the teaching of JP2 and B16, but also for the SSPX, whose lip service to supposed papal authority without actual submission to it we sedevacantists have denounced for years, often quoting the same 1912 Letter of St. Pius X to the Apostolic Union.

Love the pope indeed!

Your Tour Guide Weighs In!

And finally, to wrap things up with a big, red Pachamama-pleasin' bow, the article concludes with a call for unity on the journey:

Appeal to unity: Walking together toward Christ

Fidelity to Jesus does not, therefore, mean being fixated on some text written at a given time in these two thousand years of history; rather, it is fidelity to His people, the people of God walking together toward Christ, united with His Vicar and with the Successors of the Apostles. As Pope Francis said at the *Angelus* on Sunday, at the conclusion of the Synod:

“What was the Synod? It was, as the word says, a journey undertaken together, comforted by the courage and consolations that come from the Lord. We walked, looking each other in the eye and listening to each other, sincerely, without concealing difficulties, experiencing the beauty of moving forward together in order serve.”

But at this point, it should be clear that the journey Catholics are henceforth expected to take will be no leisurely walk. Instead, it'll be a ride with tour guide Jorge Mario Bergoglio on his speeding bus, under which he'll be deftly throwing one chunk of the divine and Catholic faith after another.

All that Is Solid Melts into Air...

Bergoglio's public promotion of idolatry, followed by an open

profession of the modernist heresy that makes it all possible, dogmatic evolution, should move not only R&R traditionalists (like SSPX, the *Remnant/Catholic Family News* crowd) but also conservatives and traditionalists officially affiliated with the Novus Ordo institution to say “Enough,” and denounce Bergoglio as a heretic and not a pope.

Should, but won't.

- **The Society of St. Pius X** will denounce Bergoglio only because “People that Walks Together” insulted them, but even then, they will do no more than trot out the usual “Bad Dad” bromides. Had Bergoglio given SSPX permission to confer yet *another* sacrament, we wouldn't hear a peep, except “Holy Father this” and “Pope Francis that,” and “Please contribute to the \$31 million Cornfield Basilica of Glory Fund, because we now have another approval from ‘Rome’.”
- ***Remnant* editor Michael Matt** will produce another whiny and theology-free video, and with CFN, organize their fiftieth pointless, forest-slaying, sign-the petition drive.
- **OnePeterFive** will tell us that we can ignore Bergoglio, because ordinary papal magisterium is *not* binding anyway, and to believe otherwise is to fall for the erroneous teaching of the pre-Vatican II papalist dogmatic theologians, who were “papalaters” and “ultramontanists.”
- **LifeSite and Edward Pentin** will move on to something else.
- **Bp. Athanasius Schneider** will ask Bergoglio in private for a “clarification,” which he will excitedly circulate in the press.
- **The Fatima Industry** will say that Bergoglio, no matter what he does, still remains pope, because you need one of those to consecrate Russia to the Immaculate Heart, and Pius XII didn't do it correctly.

- **Jimmy Whats-His-Name** with the beard will give us Ten Things to Know and Share.
- **Father Z** will tell us all: “Go to confession.”
- And the **High Church ritualist wing** of the Novus Ordo will ignore the whole episode, and turn its attentions to more important matters, such as reenacting the 14th century Norbertine ritual for the blessing of doughnuts in the Cathedral of St. Bavo of Ghent. Now, what color should those appareled amices be...

In other words, for most “on the right,” it will back to business as usual – recycling hoary trad myths, bad theology and endless evasions, so they can ignore the actual *teachings* of the man they insist is the Vicar of Jesus Christ on Earth.

For most, but not all – because not all those who are unnerved by Bergoglio have been raised on and bought into the prevalent myths.

Because I have been writing and making videos about sedevacantism for more than two decades, I now hear from people all over the world – at the rate of two to three a week for several years now – who concluded that sedevacantism is the *only* theologically coherent explanation for Vatican II, its disastrous reforms, and the scandalous and faith-destroying words and deeds of the “popes” who have promoted them. These people, the majority of them young (and many of them converts or reverts) have read their way into or back to the Catholic faith. They are quick to perceive that what they see and hear in Novus Ordo churches is *not* Catholicism, and they are just as quick to conclude that once you say that the Novus Ordo religion is false, you have one of two choices:

1. The Catholic Church has defected from the faith (which faith itself tells us is impossible)
2. The men who held themselves out as popes defected from the faith, even before their putative elections, and therefore possessed no authority from Christ

(which Catholic theology and canon law tells us *is* possible).

Put another way, their heretical words and manifestly evil deeds prove that the Vatican II “popes” were *never* true popes in the first place, so that far from *losing* the papacy through heresy, **from the beginning these men truly “had nothing to lose.”** Slice it any other way, and all that’s left on the table is a defected and equally fake Church.

Finally, while Bergoglio’s madcap and blasphemous antics have forced many Catholics “on the right” to focus on errors and issues they would never have even thought of a mere six years ago, they shouldn’t make the mistake of thinking “It’s just a Bergoglio problem.”

Rather, it’s a Vatican II problem. Sure, enshrining the Pachamama in Santa Maria in Transpontina was a real horror. But it’s a passing trifle next to enshrining as a permanent principle in “papal magisterium” the heresy of dogmatic evolution. And *that* idol, before which all dogma melts into air, can’t be made to disappear by just tossing it in the Tiber. Vatican II, the Robber Council, has be dumped over the rail first – and this time, weigh it down.



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